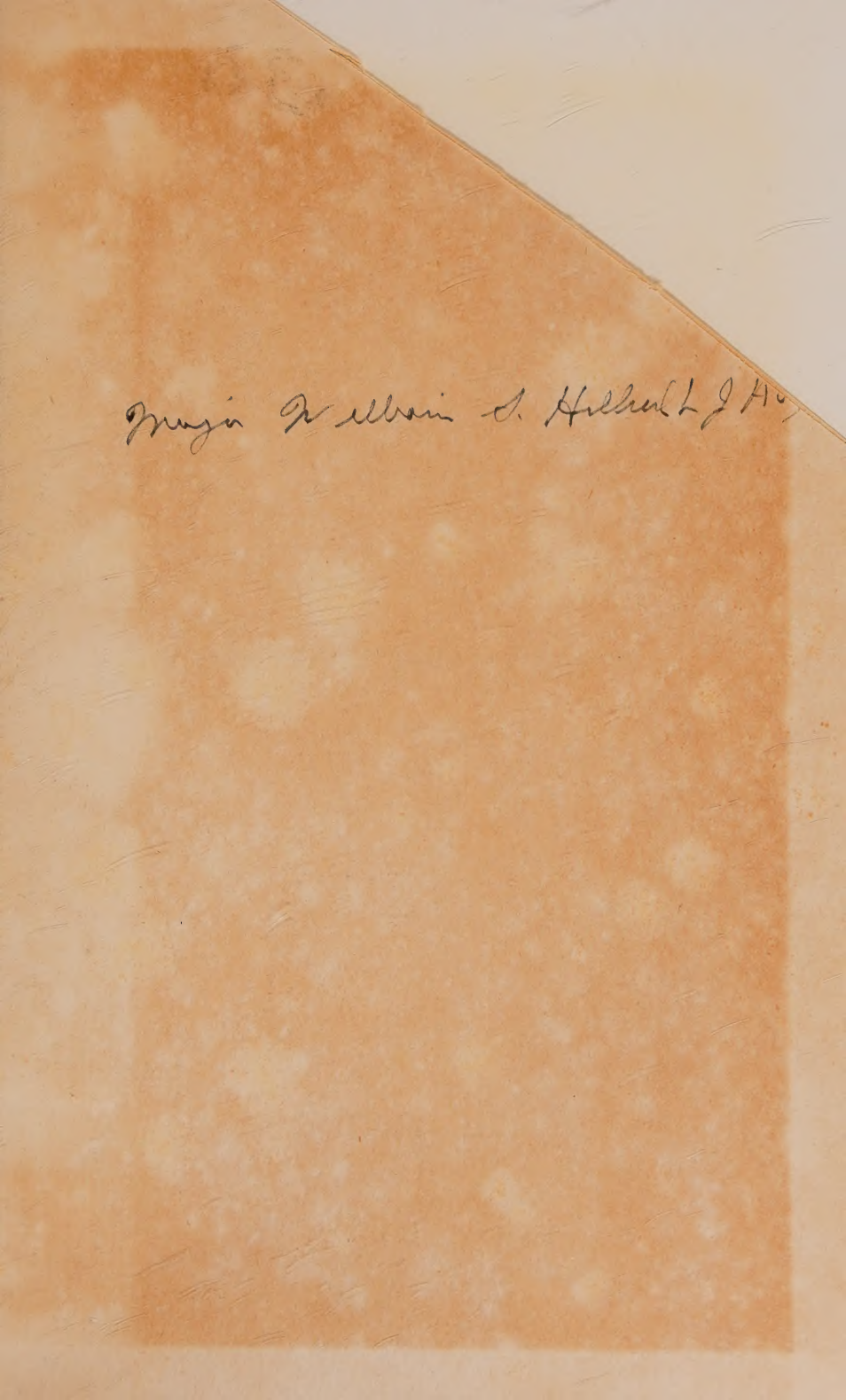

LIFE OF ARCHPRIEST THERRY

FATHER THERRY
IN 1819

(From a miniature bearing his signature)

The Foundation of Catholicism in Australia

LIFE AND LETTERS
OF ARCHPRIEST
JOHN JOSEPH THERRY

BY
Rev. ERIS M. O'BRIEN

IN TWO VOLUMES
VOL. I

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TO
THE CATHOLIC BISHOPS AND PRIESTS
OF AUSTRALIA,
WHO DURING THE PAST CENTURY HAVE BUILT WELL
ON THE FOUNDATIONS LAID BY FATHER THERRY

St. Mary's Cathedral,
Sydney,
1st June, 1921.

The Rev. E. M. O'Brien,
St. Patrick's College, Manly.

Dear Rev. Father,

We give a warm welcome to your contribution to our Church History—the "Life and Letters of Archpriest Therry." It is a praiseworthy undertaking to search past records and to set forth events of public interest, for the instruction of present and future generations. Such is your undertaking in seeking, collating and arranging all extant information regarding the worthy apostle whom God gave us as a pioneer and champion of His Church in Australia. It has been well said "There is no true civilization without religion, no true religion but Christianity, no true Christianity without Catholicity, no true Catholicity without unity of doctrine and of discipline, no unity of doctrine and discipline without divine authority; and there is no divine authority on earth but that of the Successor of St. Peter." The founder of this true religion in Australia was Father John Joseph Therry, of whose missionary career you give us an authentic account. It is most welcome, and particularly opportune at this period—the centenary of Father Therry's arrival in Australia. May God bless the writer and the readers.

The majority of the Catholics who were in New Holland when Father Therry came to the colony had been *transported from Ireland as convicts, after the rebellion of* 1798. This

insurrection, confined as it was to the vicinity of County Wexford, was forced upon the people there (as Lecky and Walpole clearly show) by the ravages of an army of occupation. But behind this provocation deeper designs were hidden; to quote from Swift MacNeill's 'Constitutional and Parliamentary History of Ireland till the Union,' "the outbreak in Wexford was not the result of the concerted scheme of the leaders of the Rebellion, but was caused by wanton and premeditated cruelties practised in order to precipitate things to a crisis before the schemes of the leaders were matured. There would have been no Union but for the Rebellion, and no Rebellion but for the Union. The Rebellion was destined to usher in the monster of the Union." It was, in fact, an integral part of the transaction which Mr. Gladstone, on 28 June, 1886, characterized as "the blackest and foulest transaction in the history of man."

It was for rebellion in such circumstances that Irishmen were transported to Australia. Not a few, of course, were criminals who justly deserved transportation; but the large majority were merely political offenders, and in their personal character high-minded, industrious and progressive. These were the men who formed the nucleus of the Catholic Church in Australia in the early days; who, or whose children, welcomed Father Therry to these shores, and stood by him through all the trials and difficulties of his sacred mission.

By a statute of the colony, all prisoners were required to attend the services of the Church of England. Refusal to attend was punished by fifty lashes for the first offence, by one hundred for the second, and by transportation to Norfolk Island—"the hell of the damned"—for the third. All orphan children were regarded as State wards, and were brought up, despite the wishes and protests of their guardians, in the Anglican religion.

In 1799 the Rev. James Dixon, of Crossabeg, County Wexford, Ireland, was convicted and transported for withholding

information against the insurgents. In the convict colony Father Dixon was soon recognized as a man of a most peaceable disposition. In April, 1803, a proclamation issued by Governor King permitted him to celebrate Mass; but after a year this indulgence was withdrawn. Subsequently Father Dixon was allowed to return to his parish in Ireland.

In 1817 Father Jeremiah O'Flynn came to Sydney as Missionary Apostolic; but, as Judge Roger Therry wrote, "because he came out unsanctioned by the British civil authorities—whose sanction there was no law to require—he was cast into prison and sent away by the first ship sailing for England." What legislative enactments have ever exceeded in heartless tyranny and absurdity these methods of administration, sanctioned, and upheld by the Home Government in the first years of the colony of New South Wales and its dependencies?

But Father O'Flynn's deportation was instrumental in arousing public opinion against the deplorable situation of thousands of Catholics at the Antipodes. Influence was brought to bear upon the Parliament at Westminster, with the result that two Catholic chaplaincies were established, to which were given Government sanction and a meagre salary. After thirty-two years of wilful indifference, the authorities at last recognized the right to liberty of conscience amongst the Catholics of New Holland. When volunteers were called for to fill the chaplaincies thus established, Father John Joseph Therry offered his services and his life for the work. It is at this point that your main narrative commences.

Your account of his life is based upon original letters and other documents dating from the earliest years of the Church in Australia. Through these you have been enabled to come into close personal touch with Father Therry; and you have so utilized them that the history of the foundation of the Church is told in the following pages largely by Father Therry himself. The letters which he received and which he

wrote are documents of indisputable value. They speak of hardships and obstacles which would appear to be insurmountable. They tell of his great trust in Divine Providence; how he strove manfully against every obstacle; how he eventually conquered in the face of Government opposition—in a word, how he built up the great Catholic Church, alone and unaided, in the vast continent of Australia.

Again, may God bless the work! With every good wish that you be fully successful and gloriously rewarded in the publication of the "Life and Letters of Archpriest Therry."

Yours *in Domino*,

✠ MICHAEL,
Archbishop of Sydney.

HIS GRACE THE MOST REVEREND MICHAEL KELLY, D.D.,
ARCHBISHOP OF SYDNEY

(From the oil painting by Julian Ashton, at St. Patrick's College, Manly)

PREFACE

Sixty years ago, in his panegyric delivered at the obsequies of Archpriest John Joseph Therry, Archdeacon McEncroe expressed the hope that in the near future some one with time and materials at his disposal would write the Life of the founder of the Church in Australia. That Life might better have been written by one of the many priests who knew Father Therry personally and had worked with him. But in all the years since that date no one has come forward to fulfil the panegyrist's hope; and the centenary of the great missionary's arrival in Australia seemed likely to pass with the biography still unwritten. Therefore, lest time should blot out for ever the history of the early Church in Australia, I have stepped into the breach in lack of others better qualified, and submit here, with all its faults, a *Life and Letters of Archpriest Therry.*

The *Life* has taken four years to complete. Every available work bearing on the early days of Australia has been studied. Moreover, a great storehouse of information has been thrown open to me by the courtesy of the Jesuit Fathers, who allowed me to use the letters left in the keeping of that Society by Father Therry. Without those letters this biography would have been worthless. The "Therry Papers" at Loyola number about three thousand; they are made up of letters from Governors, public officials and townspeople, diaries, business notices and early newspapers. All documents quoted without other acknowledgment are from this collection, and most of the statements made without specifying other authority are drawn from the same source. A smaller but no less important collection of letters and papers, relating both to Father Therry himself and to the history of the early Church in Australia, is preserved at St. Patrick's College,

Manly. Quotations from these are noted as from "Manly Archives."

A few of the earlier letters have already been published by the late Cardinal Moran in his monumental *History of the Catholic Church in Australia.* The vast scope of that History left but little space for a full account of the early days of the Australian Church, and I feel that the Cardinal would have been the first to welcome this more detailed account of a period to which he gives but passing notice in a general survey.

Throughout these pages I have frequently quoted from other authors, to whom I am indebted for the information they have given. Free use has also been made of the early newspapers of Sydney, Hobart, and Melbourne, of early Church Directories, and of Commonwealth and State Official Yearbooks. Among magazine articles dealing with the period those of the Rev. J. H. Cullen on the Early Days of the Church in Tasmania, published in *Austral Light* (1917), have proved particularly useful. Most of the facts, however, I have learned from Father Therry's own papers. To my mind the *Life* is rendered the more accurate, original, and intimate thereby. Wherever a letter or document could be used to depict clearly some event or series of events, I have given it with little or no comment. Of letters of importance he usually made rough drafts; these have, fortunately, been preserved, and I have made use of them whenever the original letter was not available, noting where necessary any corrections and additions shown in them. All documents are given *verbatim et literatim.* After a careful examination of the whole collection I have rejected about four-fifths as unimportant or irrelevant to the scope of the *Life.* But the remaining letters seem to give us a satisfactorily full and clear account of the work and life of Australia's pioneer Catholic Missionary.

I am indebted to so many people in Australia and beyond it, both Catholic and Protestant, that it is impossible to mention them all. Let it suffice to say that all have my sincerest

thanks. But a special feeling of gratitude will not allow me to pass over, in this general recognition, some whose help was invaluable in enabling me to carry out my project. To His Grace the Most Reverend Dr. Kelly, Archbishop of Sydney, I am particularly indebted for his encouragement, and for the letter of commendation over an illustrious name, which is to me the assurance of a good reception by the public. Others whose kindness has been of much assistance are the Right Reverend Monsignor Hayden of St. Patrick's College, Manly, who allowed me the use of a large number of letters from the College Archives; the Jesuit Fathers of Loyola; the Rev. Fathers Corcoran, S.J., and McCurtin, S.J.—the latter a stern and revered preceptor, to whose guidance in my schooldays I owe more than can be expressed in any words at my command; the Rev. Fathers Kelsh and Cullen of Hobart; the Very Rev. Dr. Cregan of Springwood College; and the Rev. P. J. Sheehy, D.D. The authorities of Downside College, England, and of Carlow College, Ireland, also claim remembrance; as do—last but not least—the officials of the Mitchell Library of Sydney, whose courtesy and knowledge have been freely and constantly placed at my disposal.

I have hopes that this Life of Father Therry will be found to be also a fairly complete history of the early Church in this country, so far as concerns its first organized period. After the arrival of Dr. Ullathorne in 1833 the progress of the Church at large ceased to be synonymous with the work of Father Therry; and from that year onwards I deal mainly with his personal career, touching on general Church history only so far as his ordinary duties as a pastor, or the wider issues in which he personally interested himself, affected the advance of Catholicity in Australia.

ERIS M. O'BRIEN.

St. Patrick's College, Manly.

Feast of Our Lady, Help of Christians,
Patroness of the Australian Church,
May 24, 1921.

CONTENTS OF VOLUME I

CHAPTER I

Dom Birt overlooks the importance of Father Therry's work—"Convict" priests in Australia—Father Dixon permitted to celebrate Mass—Deplorable state of Catholic convicts—Estimate of Governor Macquarie's character—Father Jeremiah O'Flynn in new Holland . . . . . pp. 1-10

CHAPTER II

Agitation in England for the appointment of a chaplain to the colony of New South Wales—Dr. Slater given jurisdiction over the colony—Fathers Conolly and Therry volunteer—Correspondence with authorities—They are accepted—The terms of their faculties—They embark in the *Janus* . . . . . pp. 11-12

CHAPTER III

Arrival at Sydney—First steps to build a Catholic church—Mass in the Court-house—Governor Macquarie lays down impossible conditions—Father Therry refuses to comply—Father Conolly and Father Therry disagree—Father Conolly departs for Van Diemen's Land—The extent of Father Therry's work . . . . . pp. 23-39

CHAPTER IV

Father Therry meets with opposition—Commissioner Bigge befriends him—Choice of a site for St. Mary's—Planning the church—Macquarie lays the foundation stone—Brisbane succeeds Macquarie—Shows himself more lenient to Catholics—Opposition to the proposed dimensions of St. Mary's—Embarrassments—Father Therry offers to resign . . . . . pp. 40-54

CHAPTER V

Work of the Mission—Attending gaols and hospitals, and struggling to build schools—Comparison between the privileges of the Protestant

Ministers and those of the Catholic Priest—Lack of Government sympathy—Brisbane asks the Secretary of State for more priests—The proselytizing system of the orphan schools—Brisbane departs pp. 55-68

CHAPTER VI

Governor Darling in command—The dark era of persecution—Archdeacon Hobbes Scott, and the scope of the Clergy and School Estates Corporation—One-seventh of the Colony to be set apart for the support of the Church of England—Father Therry stands alone—He publicly protests against Catholic disabilities—A printer's error made the ostensible reason for silencing his protest—Father Therry suspended and urged to leave the Colony . . . . . pp. 69-77

CHAPTER VII

A charge of disloyalty made against Catholics—Father Therry answers the accusation and protests again—He is no longer recognized as Government Chaplain, and his salary is withdrawn—Further efforts for St. Mary's—The persecution grows more violent—Attempt to prevent him from saying Mass in the Court-house—His efforts for the convicts—Frightful conditions of their existence—Their trust in Father Therry . . . . . pp. 78-104

CHAPTER VIII

Reply to Brisbane's request for more priests—Arrival of Father Daniel Power—His disposition and sarcastic turn of mind—Father Therry takes over Parramatta—Attempts to complete St. Mary's—Father Therry excluded from hospitals and gaols—In conflict with Dr. Bowman—Lack of cordial co-operation between Fathers Therry and Power . . . . . pp. 105-123

CHAPTER IX

Exchange of views between Fathers Power and Conolly—Father Therry's travels cover a wide area of the colony—Roger Therry reaches Sydney—His friendship with Father Therry—Death of Father Power—Petition of 1830 for the completion of St. Mary's—Father Therry re-admitted to hospitals and gaols—Arrival of Father Christopher Vincent Dowling—Bishop Slater mediates between the two priests . . . . . pp. 124-145

CHAPTER X

Governor Bourke arrives—Sympathizes with Catholic claims—Provision made for four more priests—Arrival of Father McEncroe—He recommends the appointment of a Bishop—Public moneys lavished on Anglican Church—Dispute about the area granted as site for St. Mary's—Buildings erected by Father Therry have to be demolished . . . . . pp. 146-157

CHAPTER XI

Dr. Ullathorne appointed Vicar-General of New Holland—His meeting with Father Therry—Misunderstandings—Dr. Ullathorne's written criticisms of Father Therry too severe—Settlement of the difficulties over the site of St. Mary's—Governor Bourke's tolerant policy—Four priests working in the Mission . . . . pp. 158-176

ILLUSTRATIONS IN VOLUME I

Father Therry as a Young Man (*frontispiece*)

The Most Reverend Michael Kelly, D.D., Archbishop of Sydney - - - - - - - - x

Letter from Governor Macquarie on Convict Marriages - - - - - - - - 32

Letter from Father Therry on the same subject - 32

Governor Macquarie - - - - - - - 33

Letter from Commissioner Bigge - - - - 40

Father Therry's Sketch of Intended Cathedral - 42

John Ready's Contribution to St. Mary's - - 45

Macquarie's Letter fixing Foundation Day - - 46

Design for Old St. Mary's - - - - - 60

St. Mary's in the Fifties - - - - - 68

Draft of Father Therry's *Gazette* Article, June 14, 1825 - - - - - - - - 76

Letter from Three Prisoners - - - - - 102

Convict's Application to have his Family sent out 103

Letter from Roger Therry to Father Therry - - 130

Father Therry's Application for Government Assistance - - - - - - - - 132

St. Mary's Church and Precincts - - - - 140

St. Joseph's Chapel - - - - - - - - 141

Sketch of Site of St. Mary's, 1833 - - - - I
Interior of St. Mary's, 1843 - - - - - I
Archdeacon McEncroe - - - - - - I
Plan of St. Mary's Grounds, 1828 - - - - I
Father Ullathorne - - - - - - - 16

CHAPTER I

> The passion of the Earth,
> The faint victorious music of her birth,
> The splendours of things lost and things grown old.
> —James Elroy Flecker.

In the preface to his *Benedictine Pioneers in Australia* Dom Birt, O.S.B., recalls those early periods in ecclesiastical history when Saint Augustine set out at the bidding of Saint Gregory the Great to evangelize the island of Britain, when Saint Ansgar brought the light of Christianity to Scandinavia, and Saints Boniface and Willibrod gave England a definite place among the missionary nations of the world. "In all these cases," he writes, "when the monks had done their work and formed a Christian nation out of a horde of pagans, the secular clergy stepped in. . . . Something of the same procedure may be observed in the foundation of the Church in Australia. . . . The achievement was no ordinary one; and with one exception—Dr. Slater—the men who accomplished it were monks of St. Gregory's Monastery, Downside."[1]

To those who are familiar with the earliest years of the Church in Australia, and who have inspected the mass of documents relating to that period, the statement just quoted appears altogether too sweeping, if not wholly inaccurate. We do not underestimate the enormous work done in Australia by Archbishop Polding and his gallant band of Benedictine priests. But when Dr. Ullathorne arrived in 1833 he found the Church already firmly planted—a "mustard-tree" of striking vitality, that needed only the labours of more workmen to make it bud forth and flourish. The priest who planted the tree of the Catholic faith in Australia, and who protected and cared for it almost single-handed for ten years, was a secular priest—John Joseph Therry.

A brief sketch of the colony of New South Wales in its

[1] *Benedictine Pioneers in Australia,* pp. xi., xx.

beginnings, and of the mode of life there, will enable the reader to understand the conditions under which Father Therry worked. The settlement was intended primarily as a dumping ground for the overflow convict population of England; and with this end in view Governor Phillip sailed from England on the 13th of May, 1787, bringing with him a human cargo of 696 convicts and 348 free persons to the land so providentially taken possession of by Captain Cook, some few years previously. In 1788 Phillip landed at Botany Bay, and the infancy of Australia began.

Among these convicts landed on a strange shore there were many Catholics; but no provision was made for their spiritual needs. It was only at the last moment that even a Protestant chaplain was appointed to Phillip's expedition, and he continued for many years after arrival at Sydney to be the only representative of religion in the colony. At Phillip's departure from it in 1792, it has been reckoned, the population of the convict settlements at Sydney and at Norfolk Island was 4414; of these one-third were Catholics.

It was not merely the absence of their priests that made the lot of Catholics hard, but the fact that they were compelled to attend Protestant religious services, against which they had ever held conscientious objections. On November 9, 1791, Phillip issued the following regulation: "Every person will regularly attend divine worship. . . . The Commissary is directed to stop 2 lbs. of meat from every overseer, and 1½ lbs. from every convict, male or female, who does not attend divine worship." Governor Hunter, his successor, had similar ideas. In his evidence before the Select Committee of the House of Commons in 1812, he stated that he had given a general order that he expected the people to attend divine service, sent constables around the town with directions that, if they found anyone idling during the time of divine service, they were to put them in gaol, and settled the point next morning. Governor King acted in like manner until in 1803 certain instructions came from England; then he "judged it expedient . . . . to grant unto the Revd. Mr. Dixon a con-

ditional emancipation to enable him to exercise his clerical functions as a Roman Catholic priest . . . which permission shall remain in full force and effect as long as he, the said Mr. Dixon (and no other priest), shall strictly adhere to the rules and regulations which he has this day bound himself by oath to observe."[2] These regulations are worth quoting in so far as they give a picture of the times and of Catholic disabilities, which otherwise could not be so well described:—

Regulations to be observed by the Rev. Mr. Dixon and the Catholic congregations of this colony

1st. They will observe, with all becoming gratitude, that this extension of liberal toleration proceeds from the piety and benevolence of our most gracious Sovereign . . . . .

3rd. As Mr. Dixon will be allowed to perform his clerical functions once in three weeks at the settlements of Sydney, Parramatta, and Hawkesbury, in rotation, the magistrates are strictly forbid suffering those Catholics who reside at the places where service is not performing from resorting to the settlement and district at which the priest officiates for the day.

6th. And to the end that strict decorum may be observed, a certain number of the police will be stationed at and about the places appointed during the service.

7th. Every person throughout the colony will observe that the law has sufficiently provided for the punishment of those who may disquiet or disturb any assembly of religious worship whatever, or misuse any priest or teacher of any tolerated sect.

The regulations emphasized the fact that tolerated sects should be grateful for small mercies. But even this toleration was of short duration. Fathers Dixon and Harold, who had been deported as persons implicated in the Irish rebellion, reached Sydney in 1800, and Father O'Neil in 1801; but their status as convicts prevented the carrying out of their priestly functions. Father Dixon celebrated the first public Mass in Australia on the 15th of May, 1803,[3] probably in the house of James Meehan; but his work was officially brought to a close in 1804 by an order withdrawing the privileges previ-

[2] *Historical Records of N.S.W.*, v., 97-8.
[3] So Cardinal Moran: Dom Birt gives the date as May 24.

ously granted—probably because he was suspected of connivance at the disturbances of that year. He may, however, have continued to minister privately to his people until his departure in 1808. The period of suffering and privation then began anew, and continued until the arrival of Fathers Conolly and Therry in 1820.

During those twelve years the plight of the Catholic convicts and people was deplorable. A hint of the state of public opinion on the relative positions of the Anglican and Catholic Churches is given in Judge Burton's book dealing with this period:—"Wherever the British flag is planted, there, by that very fact, the Protestant church becomes the national and established fact."[4] In many Protestant minds this mistaken idea admitted of no qualification; and there is no reason, in most cases, to doubt their sincerity. It will be necessary, then, to enter the atmosphere in which they lived, and to credit them with all the honesty that they can claim. But it is difficult to justify, even according to their ways of thinking, the unmitigated savagery and severity with which they punished those who claimed conscientious exemption from Church of England services. James Bonwick, a Protestant writer on early Australian history, draws a startling picture of Catholic disabilities. "New South Wales in the beginning," he writes, "was regarded as England over the way, and absolutely attached to the Church of England, and Catholics could expect no favour. All had to go to church; they were driven as sheep to the fold, and whatever their scruples, they had to go. Fallen as many were, they were not to be supposed aliens altogether in principles, and indifferent to faith. In some the very consciousness of crime had developed an eagerness after faith, and that the faith they had known, the faith of a mother. If a man humbly entreated to stay behind because he was a Presbyterian, he incurred the danger of a flogging. It is said that upon a similar appeal from another who exclaimed 'I am a Catholic,' he was silenced by the cry of a clerical magistrate, 'Go to church or be flogged.'" Roger Therry paints a similar

[4] *The State of Religion and Education in N.S.W.*, 1840.

picture. Writing of facts that were familiar to him, he says "the local Government of New South Wales promulgated a regulation that the whole prison population indiscriminately should attend the Church of England, under penalty of twenty-five lashes for the first refusal, fifty for the second, and transportation to a penal settlement for the third refusal."[5] Regulations made by Macquarie, enforcing attendance at church on all convicts—and even on ticket-of-leave men—will be found in vol. vii of the *Historical Records of New South Wales*.

These descriptions bring out the wonderful depth of faith possessed by the staunch Irish convicts and early settlers—a faith that could not be extinguished by Government regulations even when enforced by the stroke of the lash. The children of Catholics were uninstructed in their own faith; they were being instructed in the Church of England catechism, in the Protestant orphan schools of the colony. This condition of affairs continued until the arrival of the Very Rev. Jeremiah O'Flynn in 1817, when for a few brief months the Catholic faith was taught surreptitiously by a priest whose admittance to the colony was unsanctioned.

His harsh imprisonment, when Catholics were in such dire need of priestly assistance, has brought much severe criticism upon the head of Governor Macquarie, at whose command Father O'Flynn was deported. That the act was severe we do not question; that the deportation was entirely illegal was asserted by Roger Therry; but that Macquarie was prompted merely by petty bigotry we do not believe.

Lachlan Macquarie—with whose administration we shall be chiefly concerned during the early years of Father Therry's work in Australia—was a man of character, one of the greatest in Australia's history. He was a soldier; and he ruled his subjects as a soldier would his army. He had been appointed to the control of a convict settlement, not to the government of a colony. From 1788 to 1823 New South Wales was a Crown Colony of an extreme military type, and the Governor

[5] Therry's *Reminiscences of New South Wales and Victoria*, p. 145.

had absolute power. He was the Legislature, the Executive, the Administrator and, for all practical purposes, the Judiciary. We must, if we care to read the character of Macquarie correctly, understand the use to which Australia was being put by the British authorities. The prospect that this convict settlement might grow into a colony of freemen caused grave anxiety to the Colonial Office, whose servant Macquarie was. Bigge was appointed Special Commissioner, as the Office told Macquarie, "with a view of ascertaining how far in its present improved and increasing state, it" (the colony) "is susceptible of being made adequate to the objects of its original institution,"[6] and Bigge's own letter of appointment thus stated the leading object of his inquiry:—

You are aware of the causes which first led to the formation of the settlements in New Holland. As they were peculiar in themselves, these settlements cannot be administered with the usual reference to those general principles of Colonial Policy, which are applicable to other foreign possessions of His Majesty. Not having been established with any view to territorial or commercial advantages, they must chiefly be considered as receptacles for offenders, in which crimes may be executed (*sic*) at a distance from home by punishments sufficiently severe to deter others from the commission of crimes. . . . . So long as they continue destined by the Legislature of the country to these purposes, their growth as colonies must be a secondary consideration, and the leading duty of those, to whom their administration is entrusted, will be to keep up in them such a system of just discipline, as may render transportation an object of serious apprehension.[7]

Macquarie's duty was to enforce the will of his Government. He himself was a staunch adherent of the Protestant religion, which to him represented the only possible spiritual expression of British administration. In a British convict colony any other religion was almost unthinkable, for Catholic Emancipation had not yet been granted in the mother-country —and, whether the soil he trod was in Europe or at the

[6] Letter of Earl Bathurst to Macquarie, 30 January, 1819.
[7] Instructions to Bigge, 6 January, 1819.

Antipodes it was for him, as for his controllers in London, all part of England. In most matters (the rum traffic excepted) Macquarie showed an unflinching belief in and insistence on the fulfilment to the letter of laws made by men far away, who knew very little about the conditions for which they were legislating. In any case the Colonial Office required the territory for a convict settlement; the laws it made must therefore be severe and rigidly enforced; and the fine old soldier Governor was above all things an honest and capable servant.

So much may be said for Macquarie. The same cannot be said for the legislators who framed the laws which he administered; nor can any species of condonation be given to a nefarious system that denied liberty of conscience to thousands of helpless human beings. It may be pleaded, for instance, that Father O'Flynn had no legal right in the Colony, and that no course lay open to Macquarie but to send him away. That is a matter of doubt; even Judge Therry regarded the drastic action as illegal. But no one could justify the indifference of the English government to the religious rights of these unfortunate colonists, or its failure to provide chaplains for so many thousands of people.

It will be of advantage to sketch more minutely the character of these men, who, with thousands of comrades following them to the Colony for similar offences, constituted the bulk of the Catholic population at that time. They were called convicts, and placed in the same category as men who had committed the lowest crimes. This classification was unjust, for the greater part of the Catholic prisoners were merely political offenders who had been in the Irish insurrections. They should not have been branded as felons; the rebellion in which they had taken part was in their eyes wholly justified. The Irish rebellion of 1798 had been fostered by the government of the day with the express object of preparing the way for the passing of the Act of Union, by which Ireland lost her constitution and her control over legislation. Goaded to madness by the brutal excesses of an army of occupation, the peasants in various parts of the country rose in self-defence. Though

they fought with courage, the issue went against them; courts-martial took over control, and horrified the country by their ruthless cruelties; there were plunderings and burnings and transportations. No means of conviction were neglected, and even acts of humanity were sometimes regarded as proofs of guilt. The passing of the Act of Union in 1800 ended the struggle, but left in the hearts of the Irish people hatred and a longing for revenge. They would not bow before the conqueror; wherefore, as often as they opened their mouth or raised their hands in protest, they were arrested, summarily convicted, and shipped off to New Holland. Between 1795 and 1820 the convicts deported from Ireland to New South Wales numbered 6440; 802 came in 1819; and in 1820 a further batch of 845 landed. From 1795 to 1841, when transportation to the colony ceased, 24,799 Irish convicts had been deported.[8] Although not all these were Catholics, Irishmen formed the bulk of the colony's Catholic population. There were, besides, many Catholics of other nationalities, both convict and free, without a pastor to guide them; and the rights of all to religious liberty were either assailed or scornfully overlooked by the British Government.

The Catholics of the colony had often protested against this denial of justice, but their protests went unheeded. Throughout the whole British Empire, in the early days of the last century, the condition of Catholics was desolate in the extreme. They were living under the lingering shadows of the Penal Laws, and were excluded from the higher offices of trust and influence in the State. In the British Isles the Church was practically in the grave. The small remnant of the faithful there were scattered, dispirited, despised, almost unknown—or, if known, regarded merely as the dazzled, scared creatures of a night long since blotted out by the bright and glorious day of Protestantism. True, there were champions who sought to win emancipation for Catholics; but the fight was long, bitter and, for a long time, apparently hopeless. A few of the

[8] *History of Australia from the Records*, I., 463. (Statistics prepared by T. A. Coghlan.)

upper classes of the English laity, weary of the system of exclusion under which they lived, thought that the restoration of civil and religious rights would be purchased cheaply at the price of conceding to the British Crown a veto in episcopal nominations—that is, giving to a bitterly hostile and Protestant Government the practical selection of the chief officers of the Catholic Church. The same atmosphere was reproduced in the new Australian settlement. Protestant greatness and power, Catholic insignificance, were here manifested on a greatly exaggerated scale, by reason of the military rule necessary in a prison colony. From the days of Phillip attendance at religious services had been made compulsory on all—but the religion was Protestantism. That Catholicism should be recognized, even for the many thousands of convicts and settlers who adhered to it, was an idea not worthy of consideration.

This digression will provide the background upon which may be depicted the events that led to the arrival of Father Therry in New South Wales. Father O'Flynn, whom Macquarie had deported so peremptorily, had returned to England, and had there given publicity to the condition of the ten thousand Catholics in Australia and Van Diemen's Land. At the same time these Catholics had moved on their own account, and two strong petitions were sent to England—one from the Catholic laity in general, the other from the military—protesting strongly against their treatment in the matter of religion. Through the influence of Dr. England of Charleston, and of Lord Donoughmore, the question was debated in the House of Commons. So Father O'Flynn's mission had not been a failure. His short stay had brought many consolations to the Catholics of New South Wales; his deportation resulted in Government sanction for the exercise of the Catholic Faith, and inspired worthy missionaries to preach the gospel.

The dawn of Catholicism in Australia was at hand. It is easy to determine now, as we look back over its history of triumphs and successes, how far success or failure for the Church in Australia depended upon the choice of its first

apostle. In 1819 it was not so easy to speculate concerning the future. A historian of the Australian Church, writing in 1854, when memories of the early days were still fresh in the public mind, calls attention to the suitability of the first accredited missionary to the surroundings in which he was placed. "In the Revd. John Joseph Therry the gravity which is produced by a becoming sense of responsibility was happily and admirably blended with the ease, the sweetness and the affability of manner which flow from natural excellence of disposition and the practice of virtue. It is a mistake to imagine that rude and ignorant men are incapable of appreciating, and remain uninfluenced by, universal affection of manner."[9] It was precisely because the pioneer missionary of Australia possessed those qualities, which appeared at first sight unsuited to the community to which he came, that he has left the remembrance of a name as imperishable as the Church he served.

Had Father Therry been a negligent priest, he could not have commanded the respect and love of a community that was in great part convict. Had he been cowardly and of weak principles, he would have succumbed to Macquarie's (or at any rate to Darling's) regulations and enactments. He was wise. He disobeyed enactments that were impossible for a priest to fulfil; he enforced his will in lawful matters by his strength of character and his indomitable energy. Had he not been a holy priest, the work that was fashioned by his hands would not, perhaps, have been so blessed by Divine assistance. Had his work not been solid and thorough, it would have collapsed even in his own lifetime. It prospers to-day.

[9] *Catholic Almanac*, 1854.

CHAPTER II.

Lord, and what shall this man do? . . . St. John xxi. 21.

That the ecclesiastical authorities in Rome were not ignorant of the conditions existing in Australia is evidenced by the faculties granted to Father O'Flynn. It was not long before the mission of New Holland was placed under the jurisdiction of a definitely appointed Bishop. For our information on this subject we are indebted to Dom Birt, who gives much space to the episcopal appointment,[1] and whose account may be summarized as follows:—

Of the many seminaries and monastic schools which had been suppressed in England at the Reformation a few were temporarily re-established in France; these, after the Revolution of 1789, were confiscated by the Republican Government. The Benedictine house at Lambspring in Westphalia was of course exempt from this seizure; but in 1800 the Prussian Government imitated its republican neighbours and drove out the monks. After the Treaty of Amiens it was hoped that restitution would be made, and to facilitate matters Dom Edward Bede Slater, O.S.B., was sent to Germany. His work there was of such value that he came under the notice of the Roman Curia, and was appointed Vicar-Apostolic of the Cape of Good Hope, with the title of Bishop of Ruspa *in partibus Infidelium.*

By the Brief of appointment Dr. Slater was given jurisdiction over "the Cape of Good Hope, Madagascar, Mauritius, and New Holland with the adjacent islands," the last mentioned territory comprising the whole of Australia, Van Diemen's Land, New Zealand, and the islands of the Pacific. The territory put under his charge was, it will be seen, of huge area, and its successful administration was a task for another Francis Xavier. He was not, however, unmindful of the convict colony on the farthest borders of his diocese. In a letter of

[1] *Benedictine Pioneers in Australia,* I., 7-14.

18 April, 1819, Dr. Brewer informed Father Lorymer (who had volunteered to accompany the Bishop to Mauritius) that "Dr. Slater is gone to Ireland in quest of missionaries for Botany Bay." His quest was not in vain. Fathers Conolly and Therry offered their services, and eventually set out for New Holland with the approval of the British Government.

The Rev. Philip Conolly was a native of the diocese of Kildare. He was senior to Father Therry, and was put in charge of the Australian mission. We shall see him only for a short time in New Holland, and finally in Tasmania, where Father Therry was sent to resurrect the church which he had allowed to fall into decay.

John Joseph Therry was the second missionary to volunteer for the Australian mission. Facts concerning his early life are difficult to obtain. What knowledge we have we must take in great part from Dr. Comerford's *Recollections of the Diocese of Kildare and Leighlin.*[2] He was born in the city of Cork in 1790. His parents appear to have been, during his early life, in a comfortable position—so comfortable that a private tutor was engaged for the family. But from letters written to him in Australia they appear in later years to have encountered less fortunate circumstances, for out of his scanty means he sometimes sent them money to tide them over urgent financial difficulties. His sister Jane Ann, who later came to Hobart and lived there till her death, was affectionately attached to him. A brother, James Therry, was in a position in London. His parents, as we know from the letters of Jane Ann, were a pious couple, whose only knowledge of Australia was that it held their son John. His father died in 1827, and his mother in 1833.

In 1812 his name appears on the list of students of the ecclesiastical college of St. Patrick in Carlow, where, very probably—since we have no records to authorize an opposite opinion—he completed his college course in much the same fashion as any other student. His work in Australia does not show evidence of brilliant scholarship; he proved a practical

[2] Vol. i., p. 179.

man, very shrewd and diplomatic in his dealings with Government, very humble and zealous with his people, and holy before his God. His professor of Theology was Dr. Doyle, afterwards the illustrious Bishop of Kildare and Leighlin—more familiarly known as "J.K.L." One incident is narrated of his college course of studies. The "*Recollections*" tell how even in these early years foreign missions had an attraction for him. As St. Patrick heard the call of his children in Ireland, and the Maid of Orleans was aware of heavenly voices in the woods, so the apostle of Australia seems to have had premonitions of his destiny in life. He gathered around him some students of like sympathies, and together they resolved to offer themselves for the foreign missionary field, should the need arise, and their Bishops give consent.

Before completing his course of studies, probably in his last year of theology, he was in 1815 called to the priesthood and ordained by Archbishop Troy of Dublin. For a time he did parish work in Dublin, and was later made secretary to the Right Rev. Dr. Murphy, Bishop of Cork. "But in the midst of this happy and useful life in his native city, his mind still retained its early bent; he awaited only the call to a more extended and arduous field of missionary labour. A circumstance occurred at this time that directed his attention to Australia. Walking one day in the streets of Cork, a waggon passed him containing a number of his countrymen, handcuffed, and guarded by a military escort. On inquiry, he found that they were convicts being conveyed to the hulk about to sail for Botany Bay. He at once went into an adjoining bookseller's shop, bought some twenty or thirty prayer-books, threw them amongst the convicts, and, then and there, resolved to follow them to the other side of the earth to save their immortal souls from destruction. About this time, too, he made the acquaintance of Father O'Flynn, who had been, just before, forcibly expelled from Australia."[3]

It is not difficult to picture with how great a confidence the exiled Father O'Flynn approached the youthful priest of

[3] Dr. Comerford's *Recollections*.

Cork. Father Therry was not long in declaring his willingness to volunteer. His Bishop, too, was willing; but family difficulties stood in the way. The likelihood that Father Therry would volunteer as a missionary was brought to the ears of Bishop Slater. He had been told of his charitable intentions, believed the volunteer was fitted for the work, and in these terms offered to accept him:—

Dear Sir,

As I have not the honour of being personally known to you I have to apologise for addressing you, but the importance of the subject will be my excuse. If you have looked to the bottom of the page, you will be aware that you are addressed by one who has a deep interest in the spiritual welfare of many of your countrymen expatriated to New South Wales. I have been told that your charity leads you to wish to be enabled to render them assistance. I have heard, too, that you are well qualified, by your zeal and virtues, to be a useful labourer in such a mission. If my first information has not been incorrect, I shall feel most happy in being allowed to employ your talents in so meritorious a cause. Do me the favour to write to me, and believe me, Revd. Sir,

Your obedient servant,

✠ Edward Slater.

Liverpool, Kent Street,
July 12th, 1819.

Father Therry's reply is so characteristic of the man that we give it *verbatim*. It alleged, and exaggerated, various disqualifications; but from it Bishop Slater knew and chose his man.

My Lord,

As I did not receive your letter until Saturday, and had not an opportunity of an interview with Dr. Murphy until 11 o'clock on the night of that day, and as my duties of yesterday (Sunday) were more than usually heavy in consequence of the illness of a brother priest, I did not have it in my power to sit down to write before this moment. Though, my Lord, I hope that I duly appreciate the high honour conferred on me by your very polite letter, yet I must acknowledge that I was not prepared for its reception, as I never made application for the appointment which it offers, through the conviction that I was very badly qualified for it, being in-

volved in rather peculiar circumstances, which I conceive I owe in candour to you, my Lord, to explain. Indeed, I have frequently said, since the return of the Revd. Mr. O'Flynn from New South Wales, and, I believe, before he went there, that, if no other clergyman offered, I would be inclined to volunteer my services on that mission, on the principle that it were better for its inhabitants to have a clergyman, though not well fitted for the situation, than none.

The course of my college studies was interrupted, at an early stage, by family embarrassments, the knowledge of which influenced my superior to allow me to be prematurely ordained; but, in justice to him, I must say that it was not without strong recommendation to him, which I had elicited from the too great partiality of my professor. The continuance of these, in a greater or less degree to this moment, a great deal of natural and criminal indolence, and the duties of the mission in which I have been employed, have prevented my making since, any considerable improvement. And I am, I confess, if not absolutely ignorant of, at least, very deficient in the knowledge which any ordinary missioner ought to possess. Besides, I am utterly destitute of any acquaintance with the Irish language.

If, my Lord, a person with these disqualifications, which are not exaggerated, but possessing, it is hoped, a zeal for the glory of God, and a solicitude for the salvation of his fellow men, would, in your opinion, be likely to promote these objects by accepting such a mission, and, that you can, without deranging in any degree the plans you have adopted with regard to it, allow me sufficient time, as by great exertion on my part, will enable me to establish persons in a competency, which it has hitherto been my duty to afford, who would otherwise have no alternative, and who have on me the strongest possible claims, I shall cheerfully place myself under your Lordship's jurisdiction.

JOHN JOSEPH THERRY.

This wordy vindication—or condemnation—of himself, when viewed in the light of his future life, seems exaggerated. It would have been a sorry day for the Catholic Church in Australia had Father Therry not possessed in his old professor, Dr. Doyle, a staunch friend. He was eminently suited for the Australian mission; and Bishop Slater soon settled any doubts

he may have had on that subject. The Bishop replied:—

Revd. Sir,

I had left Liverpool before your letter arrived, and it has been forwarded to me here. You will allow me to say that the difficulties you state all tend to increase the good opinion I had formed of you, and I shall deem myself fortunate in obtaining for our unfortunate fellow-Christians in New South Wales the service of a person whose filial attentions and missionary zeal have secured him the good opinion of all his acquaintances. I accept you, my dear Sir, with pleasure. Let me know in how short a time you think you will be ready to go out, and depend upon my doing all I can to render the remainder of your life comfortable.

Believe me, Revd. Sir,

Your obdt. servant,
✠ Edward Slater.

The die was cast. Father Therry had severed his connections with the land of his birth; henceforward, without any interruption, Australia would claim his interests and affections. Bishop Slater's promise to make his life comfortable is interesting as significant of his goodwill; but the occasions on which the goodwill was practically manifested were few and far between. Dr. Slater seldom communicated with his priest in Australia. Indeed, except for a few letters (one of which advises Father Therry that he is "still to remain master in the house you have built.") it might be presumed that the Bishop had forgotten his distant flock. This apparent lack of interest can be understood, however, when the troubled state of Mauritius and Dr. Slater's financial worries are taken into account.

Up to this time Father Therry appears to have had only the verbal sanction of his Bishop. Dr. Murphy, the Bishop of Cork, now gave the official *Exeat*, "having duly weighed the motives which induce him to proceed to New South Wales . . . . and permits him to undertake the laborious mission." Nor was this his final letter to the departing priest; the Therry papers include much affectionate correspondence between them. Moreover, Father Therry's immediate appeal to the Irish people for funds, chalices, vestments, missals, altar linen, &c.,

and books of devotion and catechisms, received his Bishop's sanction, as well as a donation of ten pounds to help it on.

Dr. Slater had made final arrangements with the Colonial Office. He remembered the bitter experience of Father O'Flynn, and took precautions against a repetition of it. Father Therry and his fellow-volunteer, Father Conolly, must be accredited officials of the Crown, as well as of the Church. The following letter manifests the newly found interest of the Government in this matter, which for thirty years had been overlooked as impossible or unimportant. Earl Bathurst thus advised Macquarie of the appointments:

Downing Street, 20th October, 1819.

Sir,

I have the honor to acquaint you that His Royal Highness the Prince Regent has been pleased to approve of the appointment of two Roman Catholic clergymen, the Reverend Philip Conolly and the Reverend Joseph Therry, to proceed to New South Wales, and I am directed by His Royal Highness to authorize you to issue to them, in consideration of their attendance on the prisoners of the Roman Catholic persuasion, an allowance from the Colonial Funds at the rate of one hundred pounds per annum each, so long as they shall continue to conduct themselves with propriety, the same to commence from the date of their arrival in the colony.

I have, &c.,

Bathurst.[4]

Dom Birt quotes from a review of Dr. Ullathorne's *Reply to Judge Burton* the motive that prompted Earl Bathurst to allow so small a salary. The Colonial Secretary, it appears, assigned as his reason for the meagreness of the stipend that "it was chiefly intended for a proof of their possessing the sanction of Government; that he knew they did not require more, because the Catholic people were more generous than others in supporting their clergy."[5] Compared with the liberal treatment of the many Anglican chaplains in New South Wales, this action was unworthy of the institution whose agent Bathurst was.

To establish more securely the positions of the two mis-

[4] *Historical Records of Australia*, x., 204.
[5] *Benedictine Pioneers in Australia*, i., 19.

sionaries, they were given testimonials to the following effect:

Downing Street, 20th August, 1819.

Sir,

I am directed by Earl Bathurst to acquaint you that he has given permission to the bearer, the Reverend Joseph Therry, to proceed to New South Wales, he being one of the two Roman Catholic clergymen, who have been selected as proper persons to be allowed to exercise the functions of their office in the colony, so long as their good conduct shall entitle them to that consideration. I am, &c.,

Henry Goulburn.[6]

Dr. Slater had succeeded so well with Government that it only remained now for him to determine the powers he would delegate to his representatives in New South Wales. Among the Therry Papers is the original faculty paper delivered by Dr. Slater to Father Therry,[7] in which power is given to exercise his ministry in every case contemplated by a modern *pagella,* excepting a useful privilege relative to the obligation of the Divine Office. When it was inconvenient to carry his breviary he could satisfy his obligation by reciting "the Rosary or other prayers." Probably this was often availed of; Mass at Parramatta followed, on returning, by a sick call to Wollongong would not leave much of the twenty-four hours for the reading of the Breviary. The faculties bear the superscription:

Has autem facultates per totam Novam Hollandiam, et insulam, vulgo dictam, Van Diemen's Land, tibi usque ad revocationem exercendas committo. Perge igitur Frater Charissime alacriter ad excolendum agrum curae, et sollicitudini tuae commissum, dirigatque Dominus gressus tuos ad augendam illius gloriam.

✠Eduardus Ruspensis.

Datum Londini.
20 Septembris 1819.
Rev^do. Dno. Josepho Therry.[8]

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[6] Cf. *Historical Records of Australia,* x., 200.

[7] Father Conolly, as the senior priest, may have possessed more ample faculties than were given to his fellow missionary.

[8] Translation—"I grant these faculties to you to be exercised, until their revocation, throughout the whole of New Holland and the island usually called Van Diemen's Land. Go forth then, beloved brother, speedily to cultivate the field entrusted to your care and solicitude, and may the Lord guide your steps for the increase of His glory.—Edward, Bishop of Ruspa."

Dom Birt has given from the Downside Archives the text of the letter accompanying the faculties:—

Carissime Frater,—Licet non mihi notus facie, tuae tamen indolis pictura quam ab Episcopo tuo accepi necnon ea omnia quae de te laudabiliter a multis loqui audivi me impellunt ut in ingenii tui viribus, inque tuo flagranti zelo non parum fiduciae collocem. Absque ullo eapropter metu eam te in missionem mitto in qua magna quidem prudentia opus erit, ac potius Christianae dulcedinis exemplis quam per asperiores cohortationes in iram devios revocare opus erit, at in qua etiam ministrorum solamen ex ipsa ut ita dicam augmentatione laborum proveniet. Non itaque despondeas animo, supremi namque numinis gratia tibi certe auxilio erit, statim enim ac verbi semina quae seminaveris in messem creverint illico alios cooperatores ad vos mittam ut praeteritorum laborum fructus congregare in horrea possitis. In tuo consocio Conollio eum hominem haud dubie invenies qui et zelo, et experientia, et doctrina praeditus paratus semper erit dare tibi consilia quibus forte pro circumstantiarum difficultate indigere queas. Tamquam amicum eum considera, atque exhibito illas . . . . . (?bonae) honoris significationes quae seniori fratri debentur. Tibi interim benedictionem impertior, necnon pro Nova Hollandia sequentes facultates communico.[9]

The Bishop's instructions were very much to the point. He had anticipated too much, however, in counting upon the help

[9] *Benedictine Pioneers in Australia*, I., 19. Translation:—

Very dear Brother,

Although I do not know you personally, yet the description of your natural abilities given me by your Bishop and all the praise of you that I have heard from many others urge me to place considerable confidence in your strength of character and burning zeal. And so I send you without any misgivings on a mission in which you will need great prudence, and will have to win back the stray sheep rather by the example of Christian sweetness than by harsh and angry exhortations, but which will provide solace for the ministers, I may almost say, from the very increase of their toils. Do not, therefore, be disheartened, for God's grace will be your aid; and, as soon as the seed of the word which you have sown has grown towards harvest, I will send you other fellow-workers, so that you may be able to gather into granaries the fruits of your past labours. In your colleague Conolly you will certainly find a man able by virtue of his zeal, experience and learning to give you at any time the advice which, in your difficult circumstances, you will probably need. Look on him as a friend, and show him such marks of respect as are due to an elder brother. Meanwhile I give you my blessing, and confer on you for use in New Holland the following faculties. . . .

and advice that Father Therry would receive from Father Conolly. Probably Father Therry was to blame, in that he did not "treat him with the respect due to a senior." The Bishop spoke truly when he warned the energetic priest of the difficulties of his mission, and foresaw that he would find solace only in an increase of missionary labours.

The ship *Janus* was directed to call into Cork harbour to pick up the two missionaries. On the 5th of December, 1819, they had their first experience of that convict system with which their lives were in future to be identified. The *Janus* was a typical convict transport, crowded with men and women; some convicts of the basest order, some merely first offenders. Into this vortex, seething with immorality—not only among the convicts, but among the officers whose duty it was to enforce discipline—into this mass of struggling humanity the missionaries were cast. Straightway, as they sailed from Cork, their labours commenced. The voyage must have made an unpleasant impression upon them. Crime at all times is a terrible thing. When it is winked at by authority, and practically legalized by the like actions of superiors, the possibility of reformation appears very remote, even to the most hopeful. Did such a hope of reformation dawn in the mind of Father Therry? Was it stifled even at its commencement by the conditions of life and morality on board the *Janus*?

The case of the *Janus*, one of a fleet of convict vessels, differs from others only in its having been made the subject of a judicial examination. In a despatch from Macquarie to Bathurst under date of July 19, 1820, is given the result of an investigation by the Judge Advocate and the other magistrates into accusations made against the captain, officers and crew of the *Janus*.[10] The report states that "the facts alleged against Mr. Mowatt and one of his officers have been most fully and clearly proved . . . . that prostitution did prevail in a great degree on board the ship *Janus*, throughout the voyage from England; that due exertions were not made on the part of the captain and officers to repress and prevent the same; and that

[10] *Historical Records of Australia*, x., pp. 318-332.

the matter of charge, as against the captain and officers of the said ship individually in that respect, is true and well founded in fact."

To this investigation Fathers Conolly and Therry were called[11] as witnesses; and Father Therry's sworn evidence gives an adequate description of the conditions of life on board a convict transport of those days.[12]

Revd. John Joseph Therry, Catholic priest, passenger on board the ship *Janus*: I went on board the 5th of Decr., 1819. The ship was at sea. On account of the state of my health, I confined myself to my cabin, and therefore had not an opportunity of observing what took place on board the ship. I did nevertheless form an opinion as to what was going on in the ship. The utmost prevalence of vice, in respect to illicit intercourse, prevailed. I mean with all the men, it was general. I do believe there was general criminal intercourse between the sailors and the female convicts. I expostulated with officers and captain frequently; finding my expostulations of no use, I discontinued them. About 10 o'clock one night, I thought I saw a woman in the captain's cabin. It was public talk on board, everybody knew it, that the female convicts came from the prison in the night; the captain always showed the best disposition, and said he would do everything in his power to prevent it, but observed, if he was too severe, he had great fears the crew would mutiny. I apprehend the captain did not use his best endeavours to suppress this intercourse. I thought him sincere at the time he was speaking to me; but afterwards from his actions I had reason to think differently; from the situation of the ship, I think it impossible for the captain totally to prevent it; had I have had the control of the ship, I think it might have been very much suppressed. The grating in the hatchway seemed to me in the first instance to have been improperly fitted; nor did it appear sufficiently strong. There was no wind sail, by which the wind could be let into the prison without opening a communication between the sailors and the women, which afforded the greatest facility of communication; the partition from the prison room was only upright boards about nine inches wide, and I understand there was a piece of board put between the opening at night and removed in the day for ventilation; this afforded

[11] See Appendix A, No. 1.

[12] *Historical Records of Australia*, x., p. 328.

ready communication between the sailors and the prisoners; they could not get through the stancheons, but could make assignations. I have often heard the surgeon sup'd't converse with the captain on the subject; he has called me in to be present. . . . . I think the proportion of the Catholic female convicts was about one-third, and that they did not enter into the illicit intercourse. . . . . I am certain greater endeavours might have been made to prevent the illicit intercourse between the sailors and women. I consider these malpractices to be permitted, as it must have been known by the captain and the officers that these communications took place. . . . .

This testimony was upheld by several witnesses, some of whom referred to the efforts to remedy these evils made by the Catholic priests whilst on board the *Janus*.

It was his first experience—a violent and disgusting initiation. The picture is not overdrawn. Convicts as they were on leaving England, they were worse when they arrived at their prison destination.

In the *Sydney Gazette* of the 6th of May, 1820, there appeared this item: "On Tuesday (3rd May) arrived from England and Ireland the ship *Janus*, Captain Mowatt, having on board 105 female prisoners and 26 children. She sailed from the Cove of Cork the 5th of December; entered the harbour of Rio the 7th of February, and delayed a fortnight. Passengers, Rev. Philip Conolly and Rev. John Joseph Therry."

CHAPTER III.

"Thou hast a lapful of seed,
And this is a fair country.
Why dost thou not cast thy seed,
And live in it merrily?"

Shall I cast it on the sand,
And turn it into fruitful land?
For on no other ground can I sow my seed
Without tearing up some stinking weed.

—William Blake.

It is not difficult to picture the joy and enthusiasm of the Catholic population of Sydney when the news of the arrival of the two priests was spread abroad. Their long night of privation and suffering was ended. From the days when Father O'Flynn had been sent out of the country they had struggled to keep alight the flame of their religion; and their efforts were at last rewarded.

The position of the missionaries' first lodgings has long been a matter of conjecture. One writer locates Father Conolly at the house of Mr. Davis, and Father Therry at that of Mr. Dempsey. This is wrong. Father Therry stayed on board the *Janus* after arrival, whilst Father Conolly looked for hospitality on shore. Finding it, he wrote:—

Captain Piper has given me in the most kind manner a permit. Send the baggage as soon as you can by the bearer. I shall meet him on the King's Wharf, or shall send the permit by a proper person. I cannot get any bags here. Do you borrow one from the captain; if you cannot do that, get bed and blankets folded in the quilt and throw them in the boat together with a key, which you will find tied up in a brown paper. If you do not come, let me know what time I shall send a boat for you.

Mr. Davis of Charlotte Square, near the Church, at whose house I write this, has kindly agreed to lodge us, &c., until we get a regular place for ourselves.

P. Conolly.

Removing to this hospitable house, Father Therry remained at it even after Father Conolly's departure later, and to it all

his correspondence at this time was addressed. Here it was that the consecrated Host had been left by Father O'Flynn; but it is probable that it had already been consumed by a French chaplain who visited the settlement before the arrival of the missionaries, for they make no mention of this interesting fact in any of their letters.[1] In one of the volumes of his exceedingly scrappy diary, Father Therry states that on the 7th of May Father Conolly celebrated Mass, and on the 8th he himself offered up Holy Mass for "the glory of God, and in honour of St. Michael." The house which they used for a temporary chapel at this date was that of John Reddington in Pitt Row, near where Her Majesty's Theatre now stands.

No time was lost by the two priests in beginning their work. There was no church to which they might summon their flock; there was no school where they could find their children. These two needs were the most pressing, and to them they directed their earliest efforts. Hardly a month had elapsed when a meeting was held to excite public interest in their needs. The *Gazette* gives the information that "at a meeting of the Roman Catholics of Sydney, held on the 15th of June, 1820, in Pitt Street, at the premises of the late Mr. John Reddington, the Rev. Philip Conolly in the chair, it was unanimously resolved: 'That having no convenient place to celebrate the rites of our religion, and confiding in the benevolent disposition of our fellow-colonists in the different districts of New South Wales to join with us in erecting a house of worship, we earnestly require those who feel interested in so desirable an undertaking, to assemble with us at a meeting to be held at 12 o'clock, on the 30th instant, at the Court House, Sydney, for the purpose of considering and

[1] This statement is, of course, no more than a personal opinion. Dom Birt writes that "these priests, Fathers Conolly and Therry, found the Sacred Species incorrupt," and he is not the only historian to believe it. But the late Archbishop Carr, in a speech made at the London Eucharistic Congress, agrees with the opinion just expressed, as did Dr. Ullathorne—see his *Autobiography*, p. 166. The vessel on which the French priest sailed was afterwards wrecked, and with it perished any documents that might have cleared up the matter.

determining on the most effectual mode of opening a subscription to build a Roman Catholic chapel in Sydney. P. Conolly, Chairman.' "

The step they had determined upon was of vast importance, but it was difficult to accomplish.

On the 30th the advertised meeting took place at the Court House, and met with unexpected success, revealing that the Catholics had a large number of Protestant sympathisers. On July 1 the *Gazette* published a full account of the resolutions adopted at the meeting:—

A public meeting was held on the 30th June, 1820, at the Court House, Sydney, for the purpose of adopting measures to effect the very desirable object of erecting a place of worship for the use of the Roman Catholics of this colony. The meeting was attended by all the respectable Roman Catholics of the colony, and also some Protestant gentlemen of sentiments friendly to the design. The chair was taken by the Rev. Mr. Conolly. At the opening of the meeting, and in the course of its proceedings, the chairman suggested the propriety of confining their deliberations to the object stated in the requisition by which they were called together, namely: 'To consider and determine on the most effectual mode of opening a subscription to build a Catholic chapel in Sydney.' Other matters, however, being proposed, a series of resolutions were adopted in substance as follows:—

1st. That it is the indispensable duty of the Catholics of this colony to unite in their efforts with their clergy to build a house of divine worship in the town of Sydney.

2nd. That, having assembled for this purpose, we deem it a primary and most pleasing duty not to lose this opportunity to express our esteem and veneration for His Majesty's Government in England, and our gratitude to the enlightened and benevolent Minister who presides over the Colonial Department, whose anxious care has afforded us the object of our solicitations, in selecting and sending to us ministers of the Roman Catholic Church, to administer to us the long-looked-for rites of our holy religion.

3rd. It is also our incumbent duty to express our confidence in, and gratitude to, His Excellency Lachlan Macquarie, Esq., Captain-General and Governor in Chief, for the polite attention these reverend gentlemen have experienced from

him, and for the benevolent disposition evinced towards ourselves.

4th. We should also be wanting in our duty if we did not avow the great estimation in which we hold the Honorable the Commissioner of Enquiry, or neglected to express our thanks for his congratulatory letter to the Catholics of this colony on the arrival of their pastors. It is calculated to increase our confidence in Government, to afford consolation to us at present, and serves to cheer and enlighten our future prospects.

5th. That a committee of the subscribers be immediately chosen for the management, conducting, and selecting a site for the building. That our clergymen are requested to be of this number, and they are empowered to name their president. All contracts for the completion of it shall be confided to the committee, whose chairman or president shall ratify the same under his hand, and all receipts and payments of money or otherwise will be, in like manner, notified by him. That the committee so named shall have power of selecting and appointing, in the several districts and settlements of the colony, collectors to apply for contributions to be handed to the treasurer, with lists of the persons' names and their subscriptions. Each collector shall have his appointment authorized by a printed letter, directed by the president of the committee to the district where he resides.

6th. That our Protestant fellow-colonists, who have co-operated with us at this meeting, as well as those who have evinced a disposition to aid us by their contributions, merit our lasting esteem and gratitude.

7th. That the Rev. Philip Conolly and the Rev. John Joseph Therry have merited, in an eminent degree, the gratitude of the Catholics of New South Wales, on account of the hazardous enterprise they have undertaken, and the zeal they have manifested since their arrival, in the discharge of their sacerdotal functions.

8th. That John Piper, Robert Jenkins, and Francis Williams, Esquires, be requested by this meeting to collect the subscriptions of the Protestant inhabitants of Sydney, as the high respectability must attend their co-operation. And, in order to enable them to exert themselves with as little trouble and as great efficiency as possible, they be authorised by this meeting to form themselves into a select committee, having a power to add to their number any other gentlemen in Sydney, or in the country, whose exertions they may consider useful

in facilitating and expediting the collection of the subscriptions in the different districts of the colony.

9th. That, being informed that, on the application of the Rev. Mr. Conolly, Mr. Secretary Campbell has kindly consented to become our treasurer, we feel it our duty to return him our most sincere thanks.

10th. That the Honourable the Judge Advocate, in kindly and politely granting us the Court House to hold this meeting, is entitled to our grateful thanks.

11th. That the Rev. Mr. Conolly and the Rev. John Joseph Therry, Mr. James Meehan, Mr. William Davis, Mr. James Dempsey, Mr. Edward Redmond, Mr. Patrick Moore, Mr. Michael Hayes, and Mr. Martin Short do form the committee.

The Rev. Mr. Conolly having left the chair, and James Meehan, Esq., being called thereto, the thanks of the meeting were unanimously voted to the Rev. Philip Conolly for his very proper conduct as chairman of the meeting."

The resolutions of the meeting were printed in pamphlet form, and widely distributed. Annexed to the copy was a request that the recipient enrol himself as collector of funds in a specified district.

The terms of the second resolution of gratitude to the Home Government for the "anxious care" it showed in supplying pastors for the large Catholic community were at least cautious and diplomatic, if not scrupulously correct. The meeting foreshadowed a bright future for the Catholics of Australia; but its most pleasant result was the disclosure of the sympathetic interest of the Protestant community. Nor was this interest confined to mere words; their exertions and their money were offered generously.

The missionaries' first task was to restore order out of the chaos resulting from the absence of pastors for so many years. The diary left by Father Therry shows the variety and the extent of his duties in these early years. Many Catholics were unbaptized; marriages had taken place without the blessing of the Church; children were uninstructed in their own religion, and forced to learn the doctrines of a Church in which they did not believe; religious indifference had grown; there was no church at which Catholics could assemble for Mass. Arrange-

ments were soon made for the celebration of Mass in the Reddington house in Pitt Street, and later on in the Court House.[2] On the 17th of May Father Therry wrote to the Governor for permission to celebrate Mass in one of the rooms of a Government Store at Parramatta. This request was refused, and no alternative remained but to make use of a friendly private house there.

It is difficult to reconcile the Government's actions at various times. The Governor had given the missionaries permission to carry out their priestly duties as sanctioned by the Home Government; but in conveying this permission he imposed conditions that would make their task hopeless—as is shown by the following document, taken from a copy made by Father Therry in 1820. Fortunately Father Therry, although protesting against this gross infringement of ecclesiastical rights, was wise enough to disregard conditions which he could not in conscience carry out. The Governor wrote:—

Government House, Sydney,
6th June, 1820

GENTLEMEN,

In conformity with the wish you have expressed to be informed of the line of conduct, which, in my opinion, you should pursue in the performance of your clerical duties in New South Wales and Van Diemen's Land, I willingly embrace the occasion to express feelingly and candidly to you what I conceive is the course you are called upon, by your sacred functions and a due regard to the laws of the mother country, to pursue.

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[2] This was the oldest Court House—merely a wing of the General Hospital in Macquarie Street. The historian of the Sydney Hospital writes: "The patients . . . were accommodated in three wards at the southern end of the main building. . . . Of the remaining five wards, the four at the northern end were allotted to the use of the newly-established Supreme Court: the two lower ones accommodated the Court itself, and the two upper ones were for the convenience of the presiding judge." . . . Watson's *History of the Sydney Hospital*, p. 39.

In September, 1823, the building in Castlereagh Street until lately known as the Girls' High School (which Macquarie had originally built for a school-house) became for a time the Court House, and Mass was celebrated there for several years, even after the official Court House had been again transferred in July, 1827, to its permanent quarters in King Street. This migratory character of the "Court House" must be kept in mind when later references to it are encountered.

Although, by the laws of England, marriages *there* can only be legally celebrated by the clergy of the Church of England, yet, as I find that all the provisions of the Marriage Act do not extend to the colonies of Great Britain, you are at liberty to celebrate marriages between parties where both are Roman Catholics, subject, however, to the following regulations:—

1st.—That the names, residences, and descriptions of the persons desiring to be joined together in holy wedlock (provided they be convicts, or either of them a convict) be transmitted in like manner as is done by the chaplains of the Church of England to the Governor, and his permission obtained for the ceremony taking place.

2nd.—That you transmit applications to the Governor for leave to celebrate marriages in all cases, where it is required, on the first Monday (or as early as possible in the first week) of each month, in the same manner as is done by the chaplains of the Church of England.

3rd.—That you keep a register of all marriages which shall be celebrated by you, regularly vouched, and capable of being duly authenticated in all cases, when proof of a marriage may be required.

4th.—That you make a quarterly return to the Governor of all marriages, which shall have been celebrated by you within that period, and, in order that your said returns may coincide in regard to dates with similar ones made by the Protestant chaplains, you will please to consider the four quarters of the year as terminating respectively with the 31st of March, the 30th of June, the 30th of September, and the 31st of December.

But you are, on no account or consideration whatever, to celebrate marriage between parties being Protestants, or where one is a Protestant, or where one or both is or are of any other religious persuasion than that of Roman Catholics. The steady adherence to this injunction involving in it the rights of legitimacy and inheritance, it will be your duty to keep this prohibition at all times clearly in view, both as it regards your obedience to a direct command and as it is of absolute necessity to guard against the validity of such marriages being hereafter called in question, and thereby the inheritance of property rendered doubtful and insecure. It would therefore appear a measure of sound policy on your part, on behalf of the members of the Romish communion, and would mark in a very gratifying way your disposition to maintain and uphold the constitution and laws of the mother country, were you fre-

quently to impress on their minds that the legitimacy of their offspring, and their claims to the inheritance of property, will hinge on the validity of the marriages of parents.

The penalty attached to a Roman Catholic priest for celebrating the marriage ceremony between parties other than those immediately belonging to and members of the Church of Rome must be too well known to you to require me to say more on that subject than merely to call it thus to your mind, and, therefore, I need not dwell on the risk that would be incurred by your performing such forbidden service. Your own good sense and feeling, not only of propriety, but of personal reponsibility also, will fully mark the line of conduct you have to pursue in all such cases.

You have likewise my permission to baptize the children of parents of the Roman Catholic communion, but you are strictly enjoined to confine yourselves in the performance of that service to those persons of your own communion.

I see no objection whatever to your performing the funeral service according to the rites of your Church when called upon, over the remains of any deceased member of the Roman Catholic persuasion.

In the way of advice, I have to recommend strongly to you, for the sake of concord with the members of other religious persuasions, that you endeavour not to make converts from the Established Church (or generally from the Protestant Church), but that you confine your spiritual ministry to those persons exclusively who are of the Romish communion. Indeed, within your own flock, which is very numerous, you will have quite enough of duty to perform conscientiously, without attempting, by proselytizing, to acquire additional members. What I have already observed on this subject is altogether in the form of advice, for the laws of England, to which we must all conform *at our peril*, are too strong to require me to be more explicit in regard to their operation.

I shall now advert to some points, which are more of necessary local arrangement and political expediency in this colony, than what I have already dwelt on, and shall preface them by observing to you that the melancholy effects lately produced in England by large popular meetings under the itinerant political demagogues, long practised in the arts of faction, and ripe for anarchy and confusion, having made the enactment of certain laws, in regard to future assemblages of people, a matter of absolute necessity in order to restrain the excesses to which they were becoming every day more and

more the dupes, it will be incumbent on the Government to tread in the steps of those of the mother country, in order to avert the evils arising out of such popular meetings. In order, therefore, to guard against large meetings taking place under any pretence whatever, unless when called together by the proper legal authority, it will be expected and required of you:—

1st.—That, when you shall have fixed on certain stations whereat you propose to celebrate service, at regular periods, you transmit to me, or the Governor for the time being, a return of the places you shall have so determined on, whereby I shall be enabled to judge of their fitness, and when approved by me, I shall transmit authority to the magistrates to permit the assemblage of your congregation at those particular places. But no meeting or assemblage of Roman Catholics, consisting of more than five persons, for the celebration of the rites or service of your Church, is to be convened or held at any other place or places than those approved in the foregoing manner unless leave for their special purposes shall have been first had and obtained from the magistrate residing nearest to the proposed place of assemblage, and notice of the time, at which the intended meeting may be proposed to be held shall also be given to the said magistrate, whose permission must be obtained before such meeting or congregation shall be assembled.

2nd.—That you confine the public celebration of Mass to the Sabbath Day and the holy days set apart by the Church of England, on which service is performed accordingly in this colony in the Established Church.

3rd.—That you administer the comforts of your religion to those persons exclusively who are of the Roman Catholic faith.

4th.—That on Sundays and the other holy days of the Church of England, when you shall celebrate Mass, you adopt the same hours for that service as are prescribed to the clergy of the Established Church, in order that the prisoners of the Crown of your religious persuasion may be mustered in the same manner as those of the Church of England, and proceed to Mass, and return from it under the charge of the constables appointed for that duty.

5th.—That you do not interfere with the religious education of orphans in the Government charitable institutions of this colony, they being, by the fundamental regulations of those institutions, to be instructed in the faith and doctrine of the Church of England.

6th.—That you keep registers and make regularly quarterly returns, to the Governor, of births and deaths among the Roman Catholic inhabitants, in like manner as already directed for marriages, and the returns to be made up to the same periods.

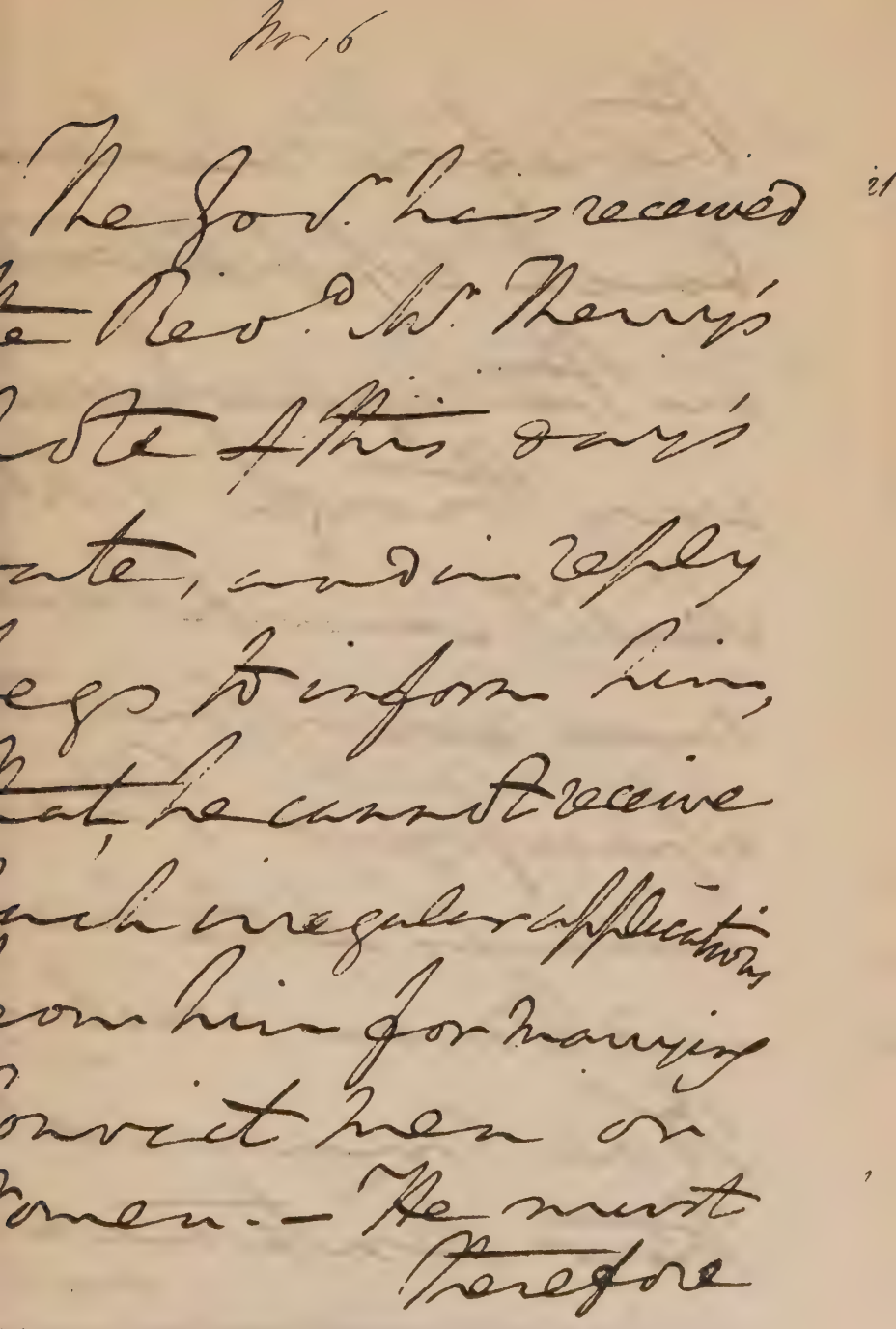
Having now, gentlemen, dwelt on the principal points, both religious and political, which have occurred to my mind at this time, I shall wind up these, my instructions, by assuring you that I, at present, entertain a full confidence in the purity and integrity of your views and purposes, as you have expressed them to me, and shall feel much mortified, indeed, if I should hereafter have reason to doubt that purity and integrity, or to call in question any part of your conduct in the ministry of the rites and ceremonies of the Church of Rome.

But I willingly dismiss that subject from further observation, in order to give you the assurance that you will ever find me ready to advocate and support the religious liberty of your flock, and to maintain your own just rights and privileges, and to show you every mark of favour to which exemplary conduct can lay claim.

I am, Reverend Sirs,
Your obedient humble servant,
L. Macquarie.

The Revs. Philip Conolly and John Joseph Therry,
Roman Catholic Chaplains of Sydney.

Let it be taken into consideration that the colony was a penal settlement, so that the greater part of every church congregation was convict; grant as much as can be brought forward in defence; and still these instructions from a Governor who "will be ever ready to advocate and support the religious liberty of the Catholic flock" remain an enigma. The names of parties desiring to be married could be handed in only once a month. How then could matrimonial cases of conscience be rectified? It was not as if there were many priests in the colony. During country visitations an opportunity might present itself for rectifying an invalid or illicit marriage contract; but nothing could be done until the Governor was notified at the beginning of the following month, at which time the priest might be hundreds of miles away. Yet, as the letter here given in facsimile shows, Macquarie refused to condone any irregularities in procedure. A letter of protest from



HOLOGRAPH LETTER FROM GOVERNOR MACQUARIE ON THE SUBJECT OF CONVICT MARRIAGES

persons, mentioned in the list which I transmitted, who is a Protestant & this person has for a series of years lived, and continues to hold a criminal connection with the one to whom the former wishes now to be married, and they will not consent to be married in Church.

But His Excellency The Governor has given to us, a verbal general permission (which, it is to hoped, for the sake of public morality, His Excellcy does not, now, mean to recall) to marry persons similarly circumstanced.

This explanation will (if the hope I have just now expressed is well founded) be a sufficient apology for the non-adoption, on this occasion, of the words, having reference to this subject, recommended by the Secretary.

But if His Excellcy will not allow of any apology in order to evince my most sincerely-felt desire strictly to obey

obey His Excell.y every order (when it does not interfere with
e more sacred and absolute duty) I shall cheerfully
s to myself, but with regret, as it regards Religion,
lopt the required alteration. leaving out the parties
ove adverted to; tho' this alteration will be attended,
irectly, by an exposure of their names.

I also beg leave to state, with the greatest deference,
the information of His Excellency, that the regulation
ich prohibits any application for permission to be
ried, being made, at any other time, than the
week of every month, will, if enforced, be attended
the most incalculable inconvenience to convicts
of course have not the command of their own
of the Roman Catholic Communion who may
be

be desirous to enter into the marriage state, and w
in a majority of instances, be tantamount to a tota
prohibition of their being married by a Clergyman
their own Church, in a country so extensive as is
where the population is so much dispersed, where there
now but two Roman Catholic Chaplains and where
a few days there will be but one.

James Atkinson Esq^r.

I am Sir your Ob^t. Serv^t.

John Joseph Therry

GOVERNOR MACQUARIE

(From the portrait by Opie in the Mitchell Library, Sydney)

To face p. 32

Father Therry, written in the following year (also shown facsimile), gives an instance of the impossibility of carrying out any such condition.

Charlotte Place, Sydney,
12 January, 1821.

Sir,

I have received your letter of this day's date, enclosing one which I yesterday addressed to the Secretary, and which was as conformable as I possibly could make it, to the copy with which you then had the kindness to furnish me.

The words which the Secretary requires to be added to those which I used in the heading of my letter, I could, but for one circumstance applying to the present case, have no hesitation in adopting.

This circumstance I beg leave, most respectfully to explain for the Secretary's perusal, viz: there is one of the persons, mentioned in the list which I transmitted, who is a Protestant and this person has for a series of years held, and continues to hold a criminal connection with the one to whom the former wishes now to be married, and they will not consent to be married in church.

But His Excellency the Governor has given to us, a verbal general permission (which it is to be hoped, for the sake of public morality, His Excell^{y} does not, now, mean to recall) to marry persons similarly circumstanced.

This explanation will (if the hope I have just now expressed is well founded) be a sufficient apology for the non-adoption, on this occasion, of the words, having reference to this subject, recommended by the Secretary.

But if His Excell^{y} will not allow of any apology; in order to evince my most sincerely-felt desire strictly to obey His Excell$^{y's}$ every order (when it does not interfere with a more sacred and absolute duty) I shall cheerfully as to myself, but with regret, as it regards Religion, adopt the required alteration: leaving out the parties above adverted to; tho' this alteration will be attended, indirectly, by an exposure of their names.

I also beg leave to state, with the greatest deference, that the regulation which prohibits any application for permission to be married, being made, at any other time, than the first week of every month, will, if enforced, be attended with the most incalculable inconvenience to convicts (who of course have not the command of their own time) of the Roman Catholic Communion who may be desirous to enter into the marriage state, and will in a majority of instances, be tanta-

mount to a total prohibition of their being married by a Clergyman of their own Church, in a country so extensive as is this where the population is so much dispersed, where there are now but two Roman Catholic Chaplains and where in a few days there will be but one.

I am Sir your Ob^{t} Serv^{t}.
JOHN JOSEPH THERRY.

James Atkinson Esq^{r}

For years after this date there are records of the names of those contemplating marriage, their condition (whether free or convict), and the accompanying official letters giving permission for marriage or prohibiting it.

The instructions issued by Governor Macquarie must be studied more closely, as they afford a faithful picture of the conditions under which these early priests worked. In the light of the ever-recurring discussions concerning the *Ne Temere* decree of Pope Pius X, it is interesting to find that the Pontiff had been forestalled, by almost a hundred years, in the far-reaching regulations and prohibitions contained in Macquarie's fourth article. The priest might not officiate at the marriage of a Catholic and Protestant, under the pain of penalties so well known that the Governor does not require to say more on the subject. Such a marriage would be invalid, and would involve the legitimacy of offspring and the rights of inheritance. The *Ne Temere* decree falls far short in its claims and penalties of the results consequent upon Macquarie's regulations. (It is, however, just to add that these regulations were afterwards repudiated by the British Government; see p. 91 below.) The missionaries were further restricted, in the celebration of Mass, to Sundays, and such holy days as were set apart by the Church of England. They were advised to confine their ministrations to their own flock, and to beware of receiving converts from any of the Protestant religions into their own. That this regulation was not taken seriously, or that it was later withdrawn, is clear from the numerous letters written to Father Therry requesting his attendance at the bedsides of Protestants, or at the scaffold on

which, as in some cases, three converts to Catholicism were to be hanged.

The most serious prohibition placed upon Father Therry was that forbidding him to see his Catholic children in the State Orphan Schools. "By the fundamental regulations of these institutions, all children are to be instructed in the faith and doctrines of the Church of England," the Governor had written. This was one of the few regulations that were enforced; and against it Father Therry fought relentlessly for years. We shall see more of this restriction both in New South Wales and Van Diemen's Land.

Only small mention has been made of Father Conolly's labours in New South Wales. The reason is simple; there is no record of what he did, apart from his chairmanship of the meetings for the building of a chapel. He left no lasting impression upon the people of Sydney. Dean Kenny, who knew him and lived with him on the Tasmanian mission, says that he "was a man of no small ability and attainments, but he had become antiquated in his manners, on account of being so long by himself. He was a native of the north of Ireland, very witty and full of dry humour and caustic remarks, and had often shown great adroitness in his correspondence with those in authority."[3]

Father Conolly was the senior priest, and had been placed in charge of the mission. But he was an easy-going man, devoid of the energy required to work successfully a vast country with only a single assistant. The contrast between the two priests is marked. One was self-indulgent, the other impetuous and generous almost to excess. It is not surprising that two men so differently constituted could not agree. Nor was the fault wholly on Father Conolly's side. Father Therry's quick temper—which was to show itself on later occasions of which we have evidence—was as difficult for Father Conolly to endure as it was afterwards distressing to Dr. Ullathorne. He had, moreover, a disposition as ready to for-

[3] *Progress of Catholicity in Australia*, p. 69.

give as to find fault, and a boundless store of energy that impelled him to remedy at once the accumulated grievances of years. These characteristics, coming into contact with Father Conolly's easy-going methods and indolent administration, would prevent the two priests from finding common ground on which to work.

This fact was soon so evident that Father Therry determined to go to Van Diemen's Land. The southern island was part of their charge, and its large convict and free population was in need of a chaplain. Macquarie, who had at an early date recognized that in Father Therry he had a determined man to deal with, warned the Governor (Sorell) of Van Diemen's Land, when the contemplated transfer became known, that "Mr. Therry in the short period of his residence here having on several instances acted counter both to the letter and spirit of His Excellency's instructions, it is His Excellency's desire that you should be apprized of this fact, in order to your adopting such measures as Mr. Therry's conduct under your Government may warrant." Father Therry set out early in 1821; but the ship by which he travelled was forced to put back again into Sydney Harbour, owing to bad weather, an occurrence but for which the history of the Church in Australia might have turned out very differently. The people appreciated this providential return. "It is an ill wind that blows nobody any good," they said. When the ship sailed again it had as before a passenger for Van Diemen's Land—not Father Therry, but the senior priest, Father Conolly. He remained in Tasmania till his death in 1839, after a life of sorrow and the bitterest misunderstandings.[4]

Father Therry was now alone in a vast continent. No great progress had been made. The children were still out of his hands, and his congregation was still without a church in which to hear Mass. The task that confronted him was tremendous; but he faced it with an unflinching courage and a

[4] His relations with Father Therry, though never really friendly, were for some time at least amicable. See letter in Appendix A, No. 7.

firm faith in the goodness of God and the generosity of the Catholic people of New South Wales. Letters for him in 1821 were usually addressed to "Charlotte Place," or "The Rocks," "in care of Mr. Davis;"[5] and many are still extant that ask him to make appointments to meet some of his parishioners at this address. But he was rarely at Davis's hospitable home for any great length of time; the greater part of his day appears to have been spent in the saddle. Some early writers mention that a horse was always waiting ready harnessed at his front gate. On return from a distant call, the tired horse was given a rest, the waiting one taken, and a second horse harnessed in readiness for emergency. The multiplicity of his interests and ministrations is astounding to us of a century later, even though we reckon distance in terms of railways and quick locomotion. But distances seemed to have no terrors for him.

A rough draft of a letter written at this time presents a striking picture of his labours. He assures the Governor that

> the duties of a pastor are so well known as to render it necessary to advert only to those which are peculiar to my situation. I have to celebrate Divine Service and give public instruction at Parramatta or Liverpool once, and in Sydney twice on every Sunday, frequently to visit the hospitals, and attend all persons professing the Catholic religion who may be in danger of death, within a circuit of about 200 miles.
>
> In order to discharge these and other duties, I have frequently been obliged to procure three or four horses in the course of a day; and although, by the late Governor, Government horses were allowed to overseers of road-gangs, yet I had not the use of any.

This and many other privations, such as the want of quarters or a house in any part of the country, to which other persons in less respectable and important situations were not subjected, he ascribes very cleverly, if not truly, to his own lack of insistence on getting them from a humane Governor. He cites the observations of a man of "distinguished fortunes, uni-

[5] One at least (see Appendix A, No. 3) was addressed to "Mr. Kirk's, Back Row."

versal benevolence, mental endowments, and high rank," to the effect that he has thereby injured not only himself but also his successors, adding:—

And it is my opinion that the present Government would not expect that any Chaplain of the Protestant Church should travel as much as I have been obliged to do in the discharge of my duties. Nor would it expect them to procure horses and other necessary modes of conveyance, to pay house rent, travelling and incidental expenses with a less salary than their £500 per annum.

Father Therry's was £100 per annum. As for the travelling, his diary gives this programme for a week:

July 1st.—Sunday—Mass at Parramatta and Sydney.
July 2nd.—From Sydney to Parramatta. Attended two men in hospital.
July 3rd.—In Parramatta. Attended one man. Visited Factory. To Liverpool.
July 4th.—In Liverpool. Baptised a black child. Went to Bunbury Curran, returned to Liverpool—to Parramatta.
July 5th.—At Parramatta—Baptised a black child—Visited the Hospital—To Sydney.
July 6th.—Mass at Sydney for subscribers to Church—Attended meeting, &c.
July 7th.—Heard confessions at Dempsey's.

This was a fair week's work; but it was only a very ordinary week. The Catholic population of Sydney was abnormally large, owing to the large number of Irish sent out for political offences, many of whom were now free men, though some were on ticket of leave, and some still in the chain-gangs. It required a very versatile man to make his influence felt among all classes in the New South Wales of that day. The Catholics, moreover, were of the poorest class, and for the missionary seeking funds for school and church they could do little more than regretfully turn out empty pockets. Even at this early date we have a pile of letters asking his assistance. One man is in need of a few pounds to bring out his wife and child from London; another has the same difficulty about his wife in Ireland; there are pleas for the payment of rent, for the obtaining of a position for a French tutor, and

a large mass of correspondence from convicts, surreptitiously delivered, asking him (in very bad English, and worse spelling) to get them assigned to Catholic employers. Their indigence made him work all the more vigorously on their behalf. Everyone appears to have been answered—and some satisfied. Bonwick, the historian, gives an instance of his zeal. "Word was brought to Father Therry that a convict sentenced to execution desired to see him for confession. Many miles had to be traversed in haste, for the time was very short. The season was late, the roads were unformed, the floods had come down, and bridgeless rivers had to be crossed. Coming towards the close of the day to the side of a raging torrent, which his horse was unable to enter, and on which no boat could live, the distressed priest shouted to a man on the other side for help, in the name of God and a departing soul. Getting a cord thrown over by means of a stone, he drew up a rope, tied it round his body, leaped into the stream, and was dragged through the dangerous passage by men on the shore. Without stopping for rest or change of clothing, the brave man mounted another horse, and arrived in time to bring the consolations of religion to a poor convict."

Only a year had elapsed since his coming to the colony, and already the pastor of souls was known in all the bigger centres of New South Wales. His charity was unbounded, and remained such till the end of his life, often causing perplexities to himself and his friends. The people knew this, and—it is one of the most pleasant traits of his character—no one was ever afraid to ask. Catholic and Protestant—and there were many of the latter—convict and free-man, aboriginal and colonist, often knocked upon the door of Father Therry's house.

CHAPTER IV.

But are his great desires
Food but for nether fires?
Ah me.
A mystery.

—Francis Thompson.

Father Therry was therefore face to face with a serious situation. His people were of the poorest, and largely of the "lower" class in the social scale; he could not expect much assistance from them. He had met with a generous response from the Protestant community to the initial appeal for St. Mary's. But still more money was required to build the church which was now a completed picture in his imagination. Nor was he sure about the attitude of the Government. All his zealous efforts had not been taken in good spirit by the authorities; some of them they had deliberately and unreasonably set themselves out to oppose. If the past had been difficult, the future was far more disquieting. Hitherto he had had a friend in high places. Commissioner Bigge, who had been sent out by the Home Government to institute an enquiry into the administration of the colony, had evidently looked upon the beginnings of the Catholic Church with an impartial approval. Such sentiments we might expect, since he was appointed to make a just statement of conditions as he found them. In him Father Therry's hopes were centred. When the news of his approaching departure was published, the lonely priest placed his anxieties before this one superior whom he could trust.

8th February, 1821.

Dear Sir,

Although I can conscientiously affirm that I have been not only in the disposition but in the habit of sacrificing my personal feelings, interest, and convenience to gratify and obey His Excellency, yet through misapprehension he appears to view me in a very different light; and for this, and many other reasons, I have to apprehend that the obstacles which

Sydney 9 Feb. 1821

Sir

I have the honor to acknowledge the receipt of your letter of the 6th inst in which you state to me your apprehensions of future restraint in the performance of your Clerical Duties, should any Deputation from the Colony shall have finally taken place. I beg to convey to you my sincere hope that I have before taken such steps as may effectually prevent any misapprehension between the Catholic & Protestants of New South Wales, and that His Majesty's Government will not lightly be moved by any other means than that of actual Disobedience on their Part to those regulations which he conceives to be absolutely necessary for the safety & tranquillity of the Colony, I should have by these means every confidence to hope that your Attention & Conformity to those Rules, more especially to that which enjoins you to give notice to the General Magistrates of your

The Rev J. Therry &c &c &c

BIGGE'S REPLY TO FATHER THERRY

Solicitor to Inspector Home Service at my office
hours on Mondays between the hours of Ten & Four & on Wednesday
next & Inspector.

As the object of this Petition & the Names attached
to the Library, & which you allude to in your
letter must be regulated on a part by
the relative numbers in the Different Districts
of Scotland, I recommend to you on the first occasion
to ascertain with the practicable accuracy the
amount of those numbers, & afterwards to divide
the Sum by the total number of the Letters sent by
your Petition. & Governor Macgregor, with
a request to have to forward at the Earl Bathurst.

I have the honour
to remain
Sir
Your Most obedient humble Servt
John Thomas Begley

have been placed before me (some of which I think I have gratefully to acknowledge have been removed by your kind interference) in the discharge of my clerical positive duties, will be increased when you will have left this country, and when I shall have no longer a powerful and beneficent protector to look up to. I therefore, beg leave most humbly to suggest the expediency of your sending me forthwith a note merely to direct or authorise me to have the petition of the Catholics of this country, which you promised to lay before His Majesty's Government, regularly signed and transmitted to you, and to ascertain for your information, as nearly as possible, the accurate number of Catholics of this colony.

The Commissioner's reply (given here in facsimile) contained an assurance that the Governor would not harass the Catholics so long as they obeyed "those regulations that he conceives to be absolutely necessary." Regarding the petition for an increase in the number of Catholic clergy, Bigge suggested that an accurate account of the Catholic community, signed by the leading Catholics, be presented to Governor Macquarie, to be forwarded to Earl Bathurst. In the report which he presented in London he still remained non-committal. He had no suggestions, but only a statement. He reported:—[1]

Since the arrival in the colony of two clergymen of the Roman Catholic religion, the inhabitants professing that faith have attended the celebration of Mass, either at the court-house at Sydney or at the houses of individuals in Paramatta, Windsor and Liverpool. They were required to give notice to the magistrates of the place and hours of their meeting, with a view to the proper attendance of the convicts; but as no separate place had been provided for the latter at the court-house at Sydney, it was not deemed proper by the commanding officer of the 48th regiment to allow those of his men who were Catholics to attend Mass.

The report furnishes a further reason for the anxiety of Father Therry to provide a church. The convicts, by far the greater part of his congregation and the most in need of his ministrations, could not be accommodated in the building then used. But the zealous priest was still more troubled by the

[1] Colonial Reports—Bigge, No. 15, 1823 (136), p. 69.

difference of opinion among Catholics themselves concerning the contemplated building. "A subscription," continues Bigge, "was commenced by the Catholics in New South Wales, prior to my departure, to build a chapel at Sydney, and Governor Macquarie had promised to give them an allotment of ground for the purpose. I observed, that although some difference of opinion arose amongst the Catholics themselves respecting the situation of the allotment, and the preference that had been given to the town of Sydney, yet a very liberal disposition was manifested by them to defray the expense of the work, and it also met a still more liberal encouragement from the higher classes of the Protestants."[2]

This reference to "the situation of the allotment" on which St. Mary's Cathedral was to be built raises the very interesting point—why was this site chosen? For a very good reason; it was practically forced on the Catholics by the Government. According to Father McEncroe, speaking in 1865, Mr. Davis once asked Father Therry why he had not petitioned for a site in the western portion of Sydney. Father Therry said he had done so; but a Catholic official, by name James Meehan —"Jimmy Main," he was called—who was Deputy Surveyor-General at the time, refused his application on the ground that, "if he built a church there, he would have all the poor in the city paraded before the Governor as he was going to church at St. Phillip's."[3] The position eventually selected was rocky, sloping and, at the time, altogether undesirable, but it was well out of the Governor's road—and, indeed, well out of the city. It was situated in a region of "unreclaimed bush, away from the town proper, and in unpleasant proximity to the new convict barracks, a neighbouring stockade, and the 'cuts' or bushways to Old South Head Road." Catholics to-day must bless the chance that decided this situation, as no more desirable site in Sydney could be wished for.

In this matter Father Therry made one colossal blunder, to rectify which necessitated much labour and years of waiting;

[2] *Loc. cit.*
[3] McGuanne's *Old St. Mary's*, p. 7.

FATHER THERRY'S SKETCH ENTITLED "ROUGH OUTLINES OF INTENDED CATHEDRAL"

To face p. 42

he took possession of the land without procuring a formal deed of grant. This was not issued till 1834, when Dr. Ullathorne's timely arrival rescued his predecessor from legal proceedings instituted because Father Therry was claiming and using more land than Government admitted it had granted.

The time was at hand when the dreams and hopes of the pioneer missionary were to take concrete form. His letters show that his whole energy was centred on this one work, the building of a church for his people. As soon as this symbol of their faith was in existence, it would be an easy matter to gather his flock around him. Ought the church to be large or small? Was it more advisable to listen to the advice of those who looked only to the present, and build a wooden structure? Must he stifle within himself the constant previsions of his far-seeing mind, that Sydney would one day be a great town? The time when there would be a flourishing colony, with a large Catholic population, he placed at no more than twelve years' distance. Macquarie had seen the same vision; he, too, built for the future; and people criticized his madness. Twenty years later the buildings erected by both of them had proved inadequate to the requirements of a growing population.

The mental agonies which Father Therry experienced must have been a heavy strain on his already weakened constitution. Among his papers there are rough drafts of contemplated churches. One is of a wooden structure, poor and mean—probably scribbled down under the influence of some pessimistic adviser. Another is the expression of a happier mood; it shows a long high building, castellated, with Gothic windows,[4] beautified by tracery, and a tall steeple rising from the centre, as if spurning the poverty of the city it was destined to adorn.

Some rather indefinite plan was finally adopted. Certainly Father Therry had a large share in suggesting its design; possibly Macquarie, or his talented wife, influenced its amazing proportions. Father Power in 1827 wrote that, although the

[4] Dr. Ullathorne writes in 1833: "there were sixty windows."

building was far from being completed, there was no plan which might be followed, nor was it certain that there ever was a plan. "I regret exceedingly," he writes, "I cannot find any plan or specification relative to the building; neither do I think, that any regular plan, at any time, has been taken of it, except whatever plan Mr. Henry Cooper, the architect, has in his possession, for it was he who gave directions for the plan of roofing, as it stands now prepared." Whether Henry Cooper was the designer of the structure, or the architect who superintended its erection, cannot be determined. The architects who advertised during the years in which St. Mary's was built were Mr. Kitchen and Mr. Greenway.[5]

The poverty of the Catholics at that time did not encourage any hopes of financial aid from that source, but Father Therry had counted upon a Government moiety to assist his work. The warm reception and response that his appeal elicited from the "more respectable and wealthy Protestants," as he terms them, gave him further encouragement. It is pleasant to look back upon this particular year, when the Protestant people stretched forth a helping hand to the less prosperous Catholics, and gave liberal assistance out of their comfortable means.

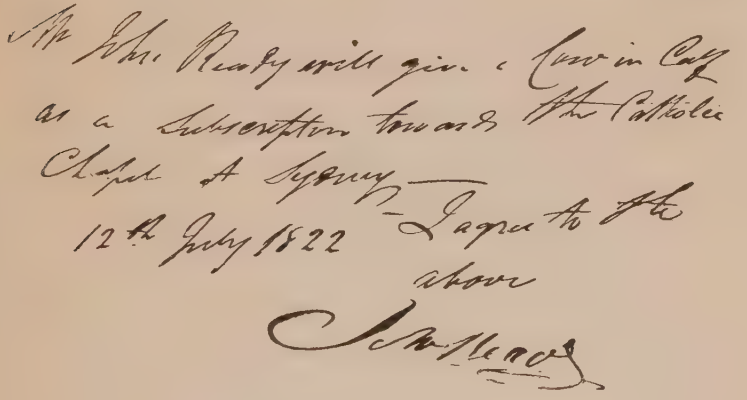
This good feeling elicited a grateful pronouncement from Father Therry:—

As John Thomas Campbell, Esq., Provost Marshal, as Treasurer of the fund for the erection of a Catholic Chapel in Sydney, had the kindness to signify his intention publicly to acknowledge the receipt of the different sums which shall have been subscribed for that purpose, Rev. John J. Therry feels it incumbent on him, in the first instance, to express, as he now respectfully does, his thanks to that gentleman, for his liberal donation of twenty pounds, to the said fund. He derives great pleasure from being able, with truth, to assure him, and the Protestant gentlemen of this country in general, that the liberality recently manifested by them, in generously contributing to erect a temple for the service of the Living God, according to Catholic forms of worship, has excited in the minds of his Catholic brethren, gratitude as sincere as it is

[5] The writer of a letter to the *Freeman's Journal* of June 4, 1864, says "Mr. Greenway was the architect of St. Mary's."

unutterable. A liberality which splendidly evinces, that bigotry and intolerance, have been discarded from at least the higher orders of Society, and superseded by the benign spirit of universal religious toleration.

The work of excavation was soon in hand. Money was coming in from all sides. When money could not be given, willing service took its place, or donations were made in kind. There is still extant a document in which Mr. John Ready

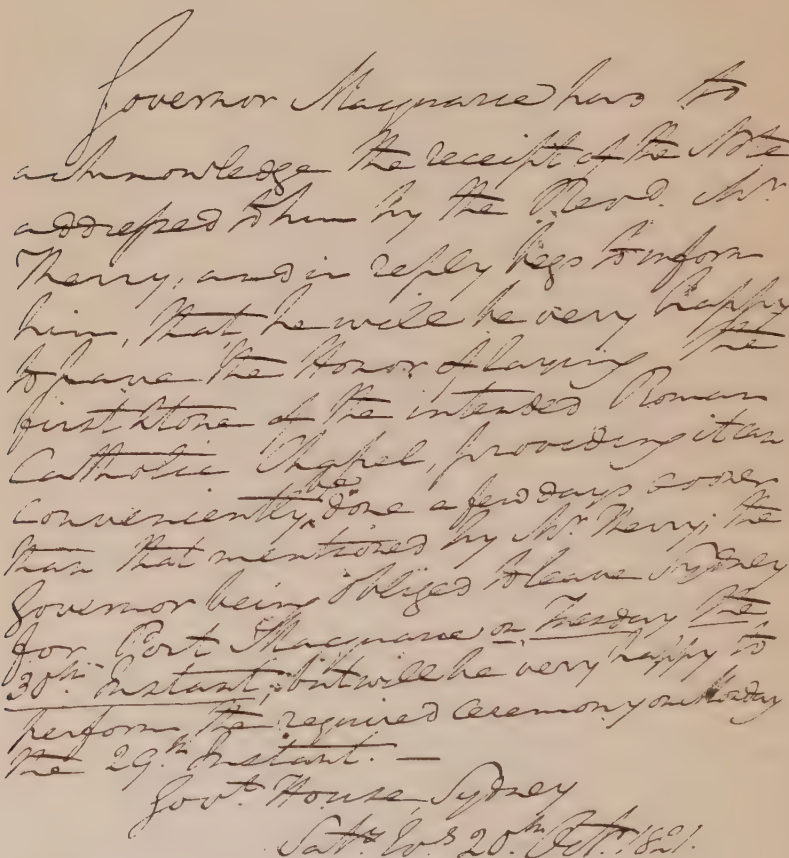


JOHN READY'S CONTRIBUTION TO ST. MARY'S

promises to "give a cow in calf as a subscription towards the Catholic Chapel at Sydney." Mr. Commissioner Bigge had sent his donation—a pair of valuable silver candlesticks. Government labour was granted for a short time to lay the foundations of the Cathedral; but in October, 1821, Secretary Goulburn informed Father Therry that Government labourers and a team of bullocks could not be spared for the work.

The 1st of November—All Saints' Day—had been determined upon for the laying of the foundation stone; but this proved inconvenient to the Governor, who decided upon Monday, 29 October. It was a gala day for Sydney. Old historians paint the spectacle in vivid colours. Dr. Ullathorne tells us, on the evidence of eye-witnesses, that Father Therry, robed

in his priestly vestments, blessed the stone; the Governor, attended by his suite, received the silver trowel, and performed



Governor Macquarie has to acknowledge the receipt of the Note addressed to him by the Revd. Mr. Therry, and in reply begs to inform him, that he will be very happy to have the Honor of laying the first Stone of the intended Roman Catholic Chapel, proceeding itself conveniently, one a few days sooner than that mentioned by Mr. Therry; the Governor being obliged to leave Sydney for Port Macquarie on Friday the 30th. Instant; but will be very happy to perform the required Ceremony on Today the 29th. Instant.—

Govt. House Sydney
Saty. 20th. Octr. 1821.

MACQUARIE'S LETTER FIXING THE DATE OF FOUNDATION DAY

the ceremony whilst the priest continued the blessing;[6] and

[6] His Grace Archbishop Kelly made an interesting discovery in 1915. Whilst watching the building of the additions to St. Mary's, he noticed, embedded in the new wall, a stone which bore these words: "Rev. Joa. J. . . . . ecclesiae conditor . . . . . ."—a strange coincidence, connecting the first parish priest of Sydney with its present Archbishop.

the choir responded from a tent near by. The trowel, designed by Mr. Clayton, bore the inscription:

This trowel was presented by the Catholics of New South Wales, to Major-General Lachlan Macquarie, Governor in Chief, &c., &c., on the auspicious occasion of his laying the foundation stone of St. Mary's Catholic Church.

An altar-boy who was present on that occasion gave Dean Kenny further details. "The Governor wiped the trowel with his own handkerchief, and put the trowel in his bosom, saying, 'You must know, Mr. Therry, that, although I never laid the first stone of a Catholic church before, I am a very old Mason; and I shall keep this trowel as long as I live, in remembrance of this day, and I wish you and your flock every success in your pious undertaking.' "[7]

The *Sydney Gazette*[8] in its account of the ceremony reproduces the flattering address of Father Therry, and the Governor's reply. These are well worth quoting, for they breathe an atmosphere of dignified courtesy, such as was still in vogue in England, and are evidence that it had accompanied the higher classes to the convict settlements of New Holland.

Father Therry presented the following address:—

In presenting to your Excellency this humble instrument (which, undervalued as it may be by the supercilious and the unscientific, will not be contemned by any who have studied and patronized, as your Excellency has done, the sciences and useful arts), we, the Catholics of this colony, cannot refrain on such an auspicious occasion from expressing our most sincere and heartfelt gratitude to your Excellency for having deigned to honor us by personally laying the first stone of the first Roman Catholic chapel attempted to be erected in this territory.

As a worthy representative of a benevolent king, you, by this act of condescension, give an illustrious example, which will prove to be not less beneficial to society than meritorious to your Excellency. You will have the merit of laying the firm foundation of a moral edifice of unanimity, mutual con-

[7] Kenny, *Progress of Catholicity*, p. 41.
[8] Nov. 3, 1821.

fidence and fraternal love, and of more strongly cementing the respect and affection of all persuasions and parties in this country to our sovereign, to yourself and, to each other.

He then promised that in the Church of St. Mary's neither the name nor the virtues of His Excellency should at any time be forgotten.

Macquarie's reply is evidence of his good feeling:—

Reverend Sir,

I receive from your hands with much pleasure in your own name and that of your Roman Catholic brethren of New South Wales, the very handsome silver trowel now presented to me; and I feel myself very much honored in having been thus selected to make use of this instrument in laying the first stone of the first Roman Catholic chapel attempted to be erected in Australia. The sentiments you have addressed to me are congenial with my own, in the beneficial result to be derived from the erection of the proposed edifice. It has been a great gratification to me to witness and assist at the ceremony now performed, and I have every hope that the consideration of the British Government in supplying the Roman Catholics of this colony with established clergymen will be the means of strengthening and augmenting (if that be possible) the attachment of the Catholics of New South Wales to the British Government, and will prove an inducement to them to continue—as I have ever found them—to be loyal and faithful subjects to the Crown. I beg you will accept of my best acknowledgments for the sentiments of friendly regard and kind good wishes you have been pleased to express for myself and my family.

Lachlan Macquarie,
Governor-in-Chief of New South Wales.

To the Rev. John Joseph Therry and the Roman Catholics of New South Wales.[9]

This reply of the Governor (which he afterwards gave Father Therry for publication[10]) shows his true feelings regarding the Catholic community. His earlier official intolerance was completely overshadowed by these generous words of encouragement, and by his practical support (he had sent two donations, making together twenty guineas). But the greatest

[9] *Sydney Gazette*, as above.
[10] See Appendix A, No. 5.

effect of his generous sympathy was that it induced the public to follow his example.

A list of donors was published in the *Sydney Gazette* of 1 December, 1821. It includes the names of many even then in high positions, who have since become famous. A few names merit recording:—Governor Macquarie, £21; Lieut.-Gov. Erskine, £5; Frederick Goulburn, Colonial Secretary, £20; John T. Campbell, Provost Marshal, £20; Sir John Jamison, £10; Justice Field, £5; John Piper, £10; D'Arcy Wentworth, £10; Major Druitt, Edward Wollstonecraft, John Oxley (Surveyor General), Fred Drennan, £5 each; Mr. William Davis, £50; Mrs. Catherine Davis, £50. The whole collection amounted by December 1 to £638 12s. 6d.

Whatever Macquarie's intentions were for Catholic welfare, he had but little opportunity to put them into execution, being succeeded at the end of 1821 by Sir Thomas Brisbane. Thus ended a governorship that had played an important part in the foundation of the Church in Australia. Macquarie had deported Father O'Flynn from Sydney; he had imposed conditions on the Catholic chaplains that tended to nullify their work; he had—nor was it altered when he left—forbidden any communication between the orphan children and their priest. But when his term of office was drawing to a close, he softened. With evident honesty, he wished well to Catholic undertakings at St. Mary's; and he sent from on board the vessel by which he left Australia a message to the church he had harassed:—

Ship,
Port Jackson,
15 Feb. 1822.

Rev. Sir,

I have been favoured with your letter. I shall not fail to move Earl Bathurst on my arrival in England, to instruct Sir Thos. Brisbane, to extend some further assistance towards completing the Roman Catholic chapel at Sydney.

L. Macquarie.

The result of Macquarie's exertions in England were soon evident. The Colonial Secretary, in reply to a Memorial (signed by a judge and twenty-six magistrates) asking for

assistance to St. Mary's, wrote that "in any list that may be opened, I am directed by the Governor to enter the name of the Government for a sum equal to the sum total of all such additional donations."

This promise was not acted upon immediately. Up to December 4, 1822, £1,276 18s. 4d. had been expended, and £1,183 5s. 3d. collected. In August, 1824, £2,602 had been collected, and the Government promise still remained unfulfilled. After this, for the first time, the pound for pound subsidy was given; but it was withdrawn in 1827.

The years 1822 and 1823 were years of embarrassment and trouble for the zealous missionary. He was alone in a vast country, whose population was scattered far and wide. The Catholic population about this time was computed at 10,000 souls, making one-third of the community; but none of them was in the higher social grade, and only a few, such as Messrs. Davis and Meehan, were comfortably settled in life. From these struggling colonists donations for the new church came slowly, and when they did come were of small avail. Many references in the Therry papers bear witness to widespread endeavours to augment the building fund. One man informs Father Therry of the amount he had collected in India; and many letters to and from the Dutch Governor of Batavia show that St. Mary's was more than a local product. Yet with all this zeal money could not be found to meet the debts incurred and to keep pace with the progress of the work.

Once again the old cry was raised by some who had prophesied this result. Why did he not build in wood? Why did he build so large a church for so poor a people? The Colonial Architect, smiling at the dimensions of the contemplated building, said that such a structure would not be required for a hundred years. Some, however, remembered that a Government subsidy had been promised, and never paid.

It might be thought, judging only from the letters and documents quoted in this chapter, that Father Therry's path was being made smooth by the favour of Government officials. In the early days of the building of St. Mary's this was more

or less true; but the old-time antagonism to Catholics was not yet dead. There was as yet no Catholic citizen influential enough to push Catholic claims. And Father Therry had pushed these claims so frequently that he had made himself a cause of distraction to a vacillating Government. If he applied for carpenters to Government, they sent him weavers; if he asked to see his children in the orphan school, he was told that it was a Church of England Institution, and that the inmates took on the character of the institution in which they lived; if he asked for Government assistance for the church, he was put off with liberal promises—which remained promises.

He was essentially a worker. He could not sit down and wait. It would have been wiser had he used more diplomacy with Government. But tact was not a marked qualification of his. If Government did not grant what was just, or even necessary, he told it so in bald, blunt language that provoked antagonism rather than sympathy. Nor was it only his personal troubles over pensions, salaries, money for St. Mary's, schools, and such general necessities, that called for his attention. If a poor convict at Parramatta was unjustly punished, he sent for Father Therry—and Father Therry castigated the injustice of the officials. He was fighting the battles of his people, single-handed, against a powerful Government.

He must have realized that his energetic criticism and frequent demands had reacted badly upon the welfare of the Catholic Church in Sydney. He began to think that his life's work had failed—that a more competent missionary was required. He made a candid statement of his difficulties to Bishop Slater, and proffered his resignation, if the Bishop thought it advisable. Of course the Bishop did not think so, and addressed to him from Port Louis, on October 2, 1822, some words of commendation and necessary advice:—

Rev. Sir,

Very long after its date, I received yours of March last. The ship which takes this, sails at too short a notice for me to answer you in detail, but I feel great pleasure

in observing that there is much in your letter and in your conduct, which claims my warmest approbation.

That everything, which is intended to secure future generations, should in its first origin, be laid on an extended foundation, has at all times, been the opinion of wise men, provided the early means be adequate to the purposes of extent and firmness. I would rather you should be three years in building a commodious chapel, offering a respectable and inviting front to the public, than see your first means exhausted on one that must afterwards be destroyed, to make place for another better adapted to the wants of a rapidly increasing congregation. I am pleased too, with the wish you express to establish as much as possible, schools in the different towns and divisions of the colony. But, you must remember that an ardent head will always form plans more rapidly, than the most active hand can execute them, particularly when the kindly affections of the heart, are in union with the wishes of the head. Suggest the idea to the principal inhabitants of each district; commence real subscriptions, they will tend to form a capital; and when you see that your means are sufficient to justify a hope that you can go on—begin. Your schoolrooms may serve on Sundays for the performance of Divine Service, and whenever you are rich enough to erect a building for that particular purpose, do it on such a plan, that the construction may afterwards form a portion of the chapel your future means may enable you to complete. I shall be exceedingly happy to see the number of the labourers increased by any means, but if you quit the vineyard, who will cultivate the portions committed to your care? I have the prospect of raising a seminary here, and if you have any young men, who are promising subjects, you may send them hither. Continue, I entreat you, a yielding disposition. It is necessary, that fellow labourers in the vineyard of Christ should live together as brothers, but a superiority must exist, and the claims of prior appointment and more advanced age, should in the first instance have obviated any appeal. I trust in the Lord, the first difficulties got over, you will have no future subject of difference. You should have sent me a copy of your catechism for approbation. Be exceedingly cautious in baptizing the children of the indigenous inhabitants of the country. You must not forget that no baptism can be given except in the immediate proximity of death, without a credible voucher, that the promises required, in the administration of the Sacraments, will be faithfully executed. Mixed marriages have always been con-

demned in the Church, and it is the duty of its ministers to lend themselves on such occasions with very great caution. The instrument of publications of banns may be affixed on the door of a building used as a chapel, when Mass is not celebrated in the district. When a marriage is intended to be contracted, you must consider the discipline of the Council of Trent, as in full force in the whole of New South Wales and Van Diemen's Land. Allow me, my dear sir, to recommend to your frequent perusal, the Catechism of that Council, and the Canons and Doctrinal Chapters of that Council, as the most useful book a clergyman can read. I perceive, that I have written to you more at length than I thought my time would allow. Receive my thanks for the good you have done, continue with zeal in the land committed to your care. Remember that charity, soft, indulgent, forbearing charity, is the spirit which animates a faithful servant of Christ, which secures to his own soul peace, whilst it administers hope and consolation to others, and gives him on earth a foretaste of the happiness which awaits him in Heaven. May the Lord have you in His holy keeping.

✠ Edward Ep. Rusp.

The Bishop's summing up of Father Therry's difficulties is as capable a piece of work as the solutions he proposed. How true to type was the ardent head, forming plans more rapidly than the most active hand could execute! Father Conolly was still the superior of the mission. Though he was no longer in Sydney, and had done nothing to merit obedience and respect from Father Therry, yet his first appointment still held good. Father Therry, who had borne all the heat and burden of the day, must still remain subject to an authority with whom he had little but his Priesthood in common. The good Bishop saw the necessity of the curbing powers of obedience and humility to fortify the ever zealous missionary of New Holland.

The possibility of Father Therry's retirement, of his incapacitation by ill-health—even of his death—must have been a serious consideration for the Bishop. "If you quit the vineyard, who will cultivate the portions committed to your care?" No more cogent argument could have been devised for the wavering missionary. Come what may—threats of Governments,

bigotry, death—he must stay with his people. And, because he must, he took heart. Resuscitated by the confidence and hope begotten of necessity, he remained at his post—willingly.

CHAPTER V.

Ye, who your Lord's commission bear,
. . . . . .
Think not of rest; though dreams be sweet,
Stand up, and ply your heaven-ward feet.
Is not God's oath upon your head,
Ne'er to sink back on slothful bed,
Never again your loins untie,
Nor let your torches waste and die,
Till, when the shadows thickest fall,
Ye hear your Master's midnight call?

—KEBLE.

FATHER THERRY never again thought of forsaking the Australian Mission. He did at one time suggest leaving his post for a few months, but only to bring more priests to assist him. His surroundings had not been made more pleasant by Government; and the conditions of his existence had suffered no alteration, other than the addition of more work, more towns to visit, and a growing population to claim his services. In 1823 the population of the colony was 29,783; of these 13,814 were prisoners. About one-third of all were Catholics.

If Sydney only had required his services, he would have found more than sufficient to occupy the long hours of his day. There was the hospital, filled to overflowing with all the diseases prevalent in an ill-equipped and insanitary penal settlement.[1] There were schools to be built, and children to be educated both in spiritual and temporal matters. There were gaols to be attended, both of women and men, in Parramatta and Sydney. The road-gangs also needed his attention. There were the hasty departures, and rides through forest and over mountains, to attend a dying Catholic, perhaps in Wollongong

[1] In 1820 an "epidemic catarrh" (which was undoubtedly influenza) swept the country, recurring in 1825. In 1824 epidemic mumps laid low a large number of people, and in 1825 intermittent fever first appeared (Watson's *History of the Sydney Hospital*, p. 65). Any priest to-day can form a good idea how constant must have been the attention, on the part of a conscientious and energetic missionary, necessitated by such conditions.

or Goulburn, or elsewhere in the interior. Each rising settlement must be made a station where the Catholics might hear Mass occasionally.

A page from the incomplete diary for 1824 will give a better insight into such labours than any description of ours can hope to give:—

> Nov. 8th—Left Sydney.
> Nov. 9th—Left Liverpool at 7 o'clock a.m.; arrived at Airds; Mass at Mr. Ward's *pro omnibus*.
> Nov. 10th—Mass at Mr. Galvin's, Cow Pastures; baptised a child; received a person into the church; supplied ceremonies of baptism.
> Nov. 11th—Mass at Mrs. Kenny's, Airds; received £1 for chapel; received two persons into the church; proceeded to Liverpool; heard of a man who died at hospital, and was attended.
> Nov. 12th—Left Liverpool at 12 p.m.,[2] arrived in Sydney 3 a.m., to hear the confession of Mrs. Williams—saw a poor man in gaol.
> Nov. 16th—Attended John ——, Philip ——, who were executed this day, one for killing and stealing a cow, and the other for having robbed a man on the highway of a bottle of rum.
> Nov. 17th—Sydney; left it 6 a.m. for Mass at Parramatta.

Although the new Governor, Sir Thomas Brisbane, was a good friend to Catholics, it was not in his power to grant as much as he would have wished, and as much as justice demanded. The rebuke (so often quoted) which he administered to the Presbyterians who claimed State aid shows that he had a deep appreciation of the Catholic missionary's worth. We do not know, of course, whether the Presbyterians deserved such a rebuff; and we cannot blame them for desiring a privilege already promised to Catholics, and partially fulfilled; but we must welcome Brisbane's opinion of Father Therry. "When you," the Governor wrote to the petitioners, "in the choice of your teachers, shall have discovered a judgment equal to that which presided at the selection of the Roman Catholic clergymen to instruct the people to fear God and honour the King,

[2] From a later letter it is learned that he meant "midnight."

then only will you get countenance and support from the Colonial Government."[3] Unfortunately for Catholic prosperity, Brisbane's stay in Australia was too short to remove the burdens and hardships that almost crushed Father Therry to the earth.

It has already been mentioned that, when the two priests were about to leave Ireland, Earl Bathurst justified the meagre salary allowed them on the plea that Catholics were usually more generous to their clergy than other people were to their ministers. This may have been the case; but, considering the large sums then voted to the many Protestant clergy—as well as their glebe lands and residences—it is astounding that public opinion should not have demanded an equitable pension for the one priest in the colony. In December, 1821, Macquarie prepared an Official Return of "Persons holding civil and military employment, to which salaries are attached," from which the following is an extract:—[4]

Names	Nature of Appointment	By whom Appointed	Annual salaries paid from		Total
			Treasury	Police Fund	
Rev. Sam'l Marsden	Principal Chaplain	His Majesty	£350		£350
„ Wm. Cowper ..	Senr.Asst. Chaplain	do.	£260		£260
„ Hy. Fulton	Assistant Chaplain	do.	£182-10		£182-10
„ Robt. Cartwright	do.	do.	£240		£240
„ Richd. Hill ..	do.	do.	£250		£250
„ John Cross ..	do.	do.	£250		£250
„ G. A. Middleton	do.	do.	£250		£250
„ Thos. Reddall..	do.	do.	£250		£250
„ John Therry ..	Roman Catholic Priest	do.		£100	£100
„ Philip Connelly	do.	do.		£100	£100

[3] Dr. Lang's comment on this is worth recalling:—"Sir Thomas Brisbane . . . himself a Scotchman and a Presbyterian . . . unfortunately suffered himself in that, as in many other instances, to be governed by the gentleman who was then Colonial Secretary, and who persuaded His Excellency, contrary to the uniform tenour of his own experience and observation, that Scots Presbyterians were a factious and dangerous people whom it was impolitic to encourage." *Historical Account of N.S.W.* (first edition), II., 255.

[4] *Historical Records of Australia,* X., 579.

Therefore in 1821 eight well-salaried ministers, favoured with Government approval—some of them magistrates and holders of plural benefices, with rich and fertile farms to render them more comfortable—ministered to the spiritual wants of the Anglican people, who were not much more than one-half of the population. The other Protestant forms of worship had ministers whose livelihood was of necessity gained in many other forms of work besides that of the church. The Catholics, more than one-third of the entire population, had only one priest—Father Conolly being in Van Diemen's Land—who received from the Government £100 per annum, as against the Anglicans' £2000 odd. In 1824 Earl Bathurst notified his pleasure in increasing the annual stipends of the Anglican clergy; in future the following salaries were to be given[5]:—

The Rev. S. Marsden	..	£400 per annum.
The Rev. W. Cowper	..	£300 per annum.
The Rev. R. Cartwright	..	£300 per annum.
The Rev. H. Fulton	..	£250 per annum.

And about this time Father Therry's £100 was withdrawn altogether. A few years later the favour bestowed on the Church of England—allotting one-seventh of the colony for its upkeep—was found to be so amazing and so impracticable that it was withdrawn.

A letter written by Father Therry in 1823 reveals the lax business methods of the times. "Rev. J. J. Therry, having had the disadvantage of receiving his salary of nine months, terminating on the 30th June last, in dollars at 5/- each conformably to the Government order, begs leave most respectfully to enquire of Major Goulburn, if the late General Order regulating the currency will be allowed also to have a retrospective effect with regard to his salary, now due, of six months, ending the 31st December." And a letter[6] from a business man, whose advice Father Therry had sought, advises him to keep his salary till the money market becomes brighter.

[5] *Historical Records of Australia*, XI., 371.

[6] This letter is one of many of this year addressed to 75 Pitt Street. Father Therry was probably living in the first temporary chapel, which had once been the property of John Reddington.

The building of St. Mary's was becoming every day a heavier, almost an impossible, burden. Accounts of 1824 show an average weekly expenditure of about £30, and the amount of the foundation subscriptions was soon exhausted. In November, 1824, he wrote:—"St. Mary's Chapel in this town will be, when completed, an elegant, if not a magnificent, building. It still requires about three thousand guineas to complete it. Sir Thos. Brisbane, our excellent Governor, sent me the other day £200 as a donation to the funds, but I expect from Government at least seven times that sum." At last he tried to bargain with the Government for help in the building in return for the use of a portion of it:—

I beg leave to submit for the Governor's consideration, that the quantity of men, oxen, timber and timber carriages, the present temporary depression of the revenue, and the great difficulty I have in procuring mechanics, render it highly desirable that His Excellency, instead of ordering us the money which he has been pleased graciously to promise, would direct the chapel to be taken under immediate control of Government, until the roof be completed, or until the amount in labour and material be expended.

I beg also, to submit that in order to obviate the serious disadvantage to which we were subjected by being necessitated to erect the church on a low site and a very uneven surface, I caused the plan of it to admit of a subterranean store, about nine feet in height, and which will enclose an area of more than six thousand square feet. And as this store, which can be made perfectly dry, is not likely to be of any benefit to the chapel for a great number of years, and as it may be a convenience to Government to have it constantly in acquisition, I solicit His Excellency to order it to be floored and ceiled in whatever manner may be considered most useful; and then to be retained for the public service as many years as shall be deemed fully to indemnify Government for the additional expense.

The attempt to force the Government into concrete fulfilment of its promises was too evident to be successful. "The chief engineer advises," the Colonial Secretary replied, "that not one of the proposals your letter contains can be acceded

to." The promise of further assistance was still a promise, and would remain such.

The necessity for additional priests provoked a letter to Governor Brisbane, asking him in God's name to use his influence with the Home Government. This resulted in a naïve letter from the Governor to Earl Bathurst[7]:—

Altho' I am no advocate for the tenets or doctrines of the Church of Rome, still I consider that, in proportion as Roman Catholics increase, priests should be sent, as it is a remarkable fact, of which perhaps your Lordship cannot be aware, that every murder or diabolical crime, which has been committed in the colony since my arrival, has been perpetrated by Roman Catholics. And this I ascribe entirely to their barbarous ignorance and total want of education, the invariable companions of bigotry and cruelty, as well as the parent of crime.

"Had there never been a priest here, perhaps the Roman Catholic Worship might have dwindled away or become ingrafted with the Protestant.

We must thank the honest old Governor for that last sentence. At the Last Judgment it will be worthy of repetition by angelic voices, in the cause of the eternal beatitude of the apostle of Australia. It is doubtful whether the Catholics of early Sydney would have drifted, as Brisbane thought, into Protestantism. Their faith, burned deep into them by the fiery persecution of '98, was too virile ever to be forgotten. The Governor found them ignorant; he knew the cause of their ignorance. His statement that every diabolical crime or murder had been committed by Catholics is wide of the mark. Before us, as we write, are letters referring to three convicts[8] who were hanged for offences then capital, some of them committed under Brisbane's regime. They died Catholics. But the whole of their lives, excepting the last few hours, were lived in at least nominal observance of Protestantism. Many another so-called "Catholic criminal" was hanged for stealing a cow or such minor offences; and often cruelty, starvation, or proselytism was the cause of their fall.

[7] *Historical Records of Australia*, XI., 382.
[8] See Appendix A, Nos. 9, 11, 12.

DESIGN FOR OLD ST. MARY'S

(From an engraving by R. Ransome in the Dixson Collection, Sydney)

To face p. 60

Nevertheless the Governor puts forward the Catholic claims. He speaks with the intolerance common in England before Emancipation days, in ignorance of all Catholic doctrine and teachings, and in the tone in which a powerful master might ask a trifling favour for an insignificant servant labouring under a grievance. Their lack of education, he writes, has left them "benighted and bereft of every advantage that can adorn the mind of man, or characterize the European from the aboriginese, there will soon remain nothing but the shade" (of their skins) "to distinguish them." He then appeals for help to finish the Church of St. Mary's. "But as the tinsel and show of the Roman Catholic of New South Wales seems to be as inherent a part of his worship as it is in all Catholic countries, they have sacrificed to show what, with prudence and proper management, might have completed a building which will still require £3000 to finish it . . . . as the walls only are finished, I should beg to suggest that Government should assist in roofing it in, putting floors and windows, and then leave the remainder to themselves." No picture of Brisbane is needed so long as this letter exists. A man honest as the sun; a plain, blunt soldier, who knew nothing whatever of Catholicism; who regarded Catholics as poor, inoffensive beings, a danger to none but themselves, and deserving, at least, of all men's sympathy.

A liberal salary and Government assistance would certainly have lightened the heavy burdens of the hard-worked missionary. But the lack of them must not make him less solicitous for the welfare of his people. Was he not told by his Bishop, "If you quit the vineyard, who will cultivate the portions committed to your care?" The reply he made to this letter shows him in a more settled frame of mind: "My dear Lord,—I lately had the great pleasure of a letter from you. It affords me the greatest possible happiness to learn that you are well. I am still alone on this mission. Mr. Conolly and Mr. Coote are at Van Diemen's Land. Mr. Coote is anxious to come here. I have to celebrate Mass at Parramatta and

Sydney every Sunday. Within the last ten days I had to leave Sydney for Liverpool, distant 20 miles, at 9 p.m.; to leave Sydney at 11 p.m. for Parramatta; and Liverpool for Sydney at midnight; and to make equally long excursions by day." To another friend he writes about the same date:—"My duties here, I need not inform you, are numerous and arduous; and, alas, too often neglected or superficially performed. I do not sit down to write this note without, in my mind, a reasonable apprehension that I am neglecting a more important, though less agreeable, duty. It is now 4 o'clock, and many persons are now awaiting me at Parramatta (15 miles distant), to which I must proceed this evening." There was work sufficient for a large number of zealous priests.

He writes at a later date, urging the Bishop to send more priests:—

Even in the present state of the colony, I have to assure your Lordship, it requires at least seven priests to discharge in a proper and regular manner the duties which devolve on me, but which I perform in a very irregular and superficial manner, generally through necessity. Many persons die at the distant settlements without the benefits of the Sacraments. Even here, in consequence of the confessional not being regularly attended, we have scarcely any communicants.

I continue to wish that your Lordship would send some clergyman to supersede me for about eighteen months, and authorise me to proceed to England and Ireland, with authority to invite a few well qualified clergymen, with the approbation of Earl Bathurst and their Bishops, to proceed with me to the colony.

It was too much to hope for. He felt he had asked too much, and concluded:—

However, in this as well as every respect, I fondly hope that I shall always consider your pleasure, with regard to my duties, to be the will of the Almighty, and as such entitled to my unhesitating and cheerful acquiescence.

One great result of the tolerant legislation of Governor Brisbane was the recognition of the right of the military and of convicts to full liberty of conscience. In the barracks little

difficulty occurred in carrying out this just legislation. But in the chain-gangs, and where convicts were assigned, the law often met with serious opposition. It depended entirely on the bigotry or the tolerance of overseers, private masters, and magistrates, whether such convicts should enjoy the only privilege granted to them. Letters from convicts to Father Therry frequently tell of unmerciful scourgings and penalties for refusing to go to a Church of England service. In one letter of particular interest these punishments are well described. John McCernan prays Father Therry to procure his removal from an intolerant master. He belongs, he writes, to Mr. Samuel Terry's farm at Mount Pleasant. He was ordered to go to the Protestant service at Castlereagh. He protested to the deputy-overseer against being compelled to attend a service contrary to his conscience and principles, where "they would make a laughing stock of him and his beads." He was then put in the stocks for some hours; two days later a magistrate sentenced him to fourteen days on the tread-mill. When this was completed, he was so weak that he had to go into the hospital, and an order was given to the doctor that, if he were found not to be suffering with dysentery, he should be given one hundred lashes. This account is only one of many.

Now that Father Therry had legal right on his side, he lost no time in reprimanding these oppressors of religious liberty. "May I be permitted," he writes to an employer, "to inform you that His Excellency the Governor, having ascertained that persons professing the Catholic faith are not allowed by the tenets of their religion to attend any place of worship besides their own, has exempted them from the necessity of going to church on Sundays. I have, therefore, respectfully to beg, Sir, that you will have the kindness to extend this indulgence to Government labourers under your immediate jurisdiction." Such letters to individual masters usually took little effect. Another remedy would have to be found. For a prohibition against forcing Catholic convicts to attend Protestant services must be substituted a positive

regulation, ordering them to attend a Catholic service. He submits his plan as a suggestion to Government:—

As a servant of His Majesty's Government, as well as a minister of religion, I hope it may not be deemed unseemingly officious or presumptuous of me occasionally to solicit such favours for the department to which I belong, as may in my opinion tend to advance the interests of both parties, which cannot safely be separated. The Altar and the Throne are never respectively so secure, as when reciprocally assisted and mutually supported by each other. Under this impression, and the conviction that the humane, liberal and expansive mind of His Excellency the Governor, never contemplated by enslaving conscience, to render insupportably nauseous the already bitter cup of exile and bondage, I beg leave to complain of an oppressive grievance, under which a considerable portion of the exiled inhabitants of this colony laboured for many years, and from which some of them, at Bathurst and other settlements, are not yet relieved, notwithstanding the repeated expressions of His Excellency's intentions to that effect.

Although by the tenets of the Catholic Church, universal charity is imperatively inculcated, which must of course, embrace the people of every clime, without a single exception, yet communication in religious rites or ceremonies with any other persons than those within her pale, is absolutely prohibited. For a conscientious obedience to this prohibition, many individuals have here been menaced, put to death, imprisoned or flogged.

But I impute not improper motives or tyrannical intentions to the magistrate who ordered the inflictions of these punishments, for I believe that in almost every instance they were actuated by the purest motives—an anxious desire to maintain discipline, subordination and peace, and to prevent designing and ill-disposed persons from making conscience a cloak to conceal their machinations against the property of their employers, or the pittances of their fellow prisoners, whilst attending at Divine Worship. A difficulty not easy to be surmounted was thus created, and still exists. How then it may be asked, is the difficulty to be obviated, and the remedy be prevented from becoming as dangerous as the disease? If allowed, I should beg to submit an expedient. From that class of prisoners sent here for comparatively trivial offences, and absolutely not of a degrading and demoralising tendency, an individual might be selected for each township, qualified and willing for a small pecuniary consideration, to instruct children

in the rudiments of education, and to read on Sundays, under the inspection of a constable appointed by the Magistrate, a few chapters in the New Testament, and an approved form of prayer during the time of public service in the church. But, as there is a lamentable want of appropriate places for such purposes, I beg most respectfully to state that if His Excellency be graciously pleased to approve of it, I shall provide, *Deo Adjuvante,* a moiety of the expense that may be necessary to establish them.

This was a very practical solution of the difficult situation which had arisen from prohibiting the attendance of Catholics at Protestant services—a prohibition that made it possible for them to indulge in questionable conduct during the absence of their masters. But the large number of letters from convicts who still underwent severe punishment on this account would suggest that his plan was never acted upon.

The question of religious instruction, however, was too urgent to allow of any postponement. The orphan schools were still barred against the Catholic chaplain, and only one way of instructing Catholic children lay open. He must establish schools of his own. Commissioner Bigge in his report speaks of Catholic schools having been established: "Since the arrival of the two Catholic clergymen in New South Wales, a small school for the instruction of the children of Roman Catholics has been established at Paramatta; but it appears that before that period they had been admitted into the orphan and other schools of the colony, without any reference to their religious creed, or without objection on the part of their parents." No difficulty was experienced about the admission of Catholics into the schools, as the Commissioner correctly states; but he does not add that they did not come out Catholics. In 1824 the mother of a child in the orphan school wrote Father Therry a letter[9] which shows the conditions, other than spiritual, that prevailed in this badly conducted institution: "Having heard that several deaths have taken place of late at the Orphan School, and from maternal solicitude, feeling some apprehension on account of my

[9] Given in full in Appendix A, No. 8.

son, who is in that establishment, I trouble you to enquire if my son is still living and in health. I am uneasy from a fear of his falling a prey to some disease, from the alarming increase of mortality at the Orphan School." The report given by Archdeacon Scott soon after his arrival so strongly criticises the orphan schools that if it had come from another pen the writer might have been accused of bigotry. He writes; —"The children were in a loathsome and horrid state of disease, arising from the neglect of the masters of both institutions."[10] And Governor Darling's attention was in the first days of his rule directed to the faulty management of the institution.

In May, 1824, Father Therry again made an attempt to reach the Catholic children there. He wrote to the Governor: "I beg leave to propose to His Excellency that if he gives approval to the enclosed little book—an Epitome of the Gospels—to be reprinted for the use of such children in the orphan schools as are known to be of Catholic parents, and for the benefit of the Factory, Carters' Barracks, Hospitals, and Prisons in the colony, I shall give ample security to pay on demand half the costs attending the execution of his order." The Catholic Epitome of the Gospels, as well as the Catechism of Doctrine, were submitted to the (Anglican) clerical directors of the institution, and by them rejected as inadmissible.

Father Therry's school at Parramatta was a speedy answer to this system of proselytism. With what great sacrifice he established it, we can easily imagine. In 1822 the first school was opened in Sydney by Thomas Byrne, in the new Court House in Castlereagh Street. Byrne, according to Mr. John Weingarth, was also the first teacher in the new Hyde Park Chapel School, as it was called. A handwritten advertisement among Father Therry's papers shows that another school was at least contemplated. "At the instance of the Revd. Mr. Therry, Andrew Higgins respectfully takes leave to acquaint the public that he will open school at No. —, —— Street, on Monday, the — of January, 1822." He promises to teach all

[10] Dr. Ullathorne's *Reply to Judge Burton*, p. 20.

the Sciences, Grammar, and Bookkeeping, and hopes that his talents will be found satisfactory. That is all that is known of him and his school.

In August, 1823, the first severe blow was given to Father Therry's educational activities, when, for want of adequate support, the teacher of the Parramatta school was forced to retire. The Father wrote to the Colonial Secretary for assistance:—"May I be permitted to state that, having in conformity with your advice confined all my resources to the single object of erecting a Chapel in this town, I am unable to afford any pecuniary assistance to the establishing of schools, which are much needed, particularly in the interior of the country. To say a word on education to one of your enlightened mind would, indeed, be superfluous; but when I mention the circumstance of my having lately lost a man of excellent character, the teacher of the Catholic School at Parramatta, through want of adequate support, your compassion will be excited, and you may be induced to request the Governor to add something to the indulgence which he has already ordered the Hyde Park School Master." This "indulgence" had in 1822 amounted to £7 15s. 7d. for the year.

In 1824 education could boast of more hopeful and prosperous conditions, and Father Therry reported to the Bishop a surprising development in the already completed Chapel School:—"As I could not proceed with the Chapel for want of money, I amused myself in erecting a school-house near the Chapel.[11] It is a very handsome building in the cottage style, 100 feet in length, with two returns of 45 feet each. It is ornamented with a very handsome cupola, for which we have provided a good bell. You will smile at my idea of building a school for want of money, but I assure you it is a fact as our funds did not amount to £20, when we commenced it. His Excellency, Sir Thomas Brisbane, has since sent me £200, with a promise of strongly recommending H.M.G. in England to send further assistance." (The £200 was intended, and used, for St. Mary's Church.) In another letter he says that

[11] See Note at the end of ch. ix.

the school-house is in honour of St. Joseph, and is to be called the Josephian School. Other hopes, too, it raised in his apostolic mind. "It is large enough for a temporary convent. I am not without a hope in our Lord that many years will not elapse before we shall have a convent and a monastery. I have already been promised some endowments for them."

If he could have foreseen the bitter war of hatred and calumny that was to overwhelm him the very next year, his hopes would have collapsed. His whole life in New South Wales was a succession of periods sometimes bitter as gall, sometimes replete with hope and consolation. In 1824 he was riding triumphantly on a wave of success. He saw his schools around him. He knew that, when he had his schools, he had a guarantee for the faith of coming generations. The following year would see an attack upon the schools so far-reaching and determined as to replace his most ardent hopes by fears akin to despair.

ST. MARY'S IN THE FIFTIES
(From an oil painting in the possession of Mr. C. H. Bertie)

To face p. 68

CHAPTER VI.

. . . . the King's further pleasure is,
Because all those things you have done of late,
By your power legatine, within this kingdom,
Fall into the compass of a *praemunire*,
That therefore such a writ be su'd against you;
To forfeit all your goods, lands, tenements,
Chattels, and whatsoever, and to be
Out of the King's protection.

—SHAKESPEARE.

ON the 19th of December, 1825, Governor Darling arrived in New South Wales. With his arrival the sun set upon Catholic hopes, and an evening gloomy with forebodings of evil was ushered in, to develop into a long and stormy night. The whole Catholic community in Australia—priest, people, schools, children—entered on a period of persecution.

A letter written by John O'Sullivan at this date hints at the beginnings of the trouble. "When the present Governor (Darling) arrived, Mr. Therry, as Catholic chaplain, paid his respects to him. In a very short time Mrs. Darling, the Governor's lady, became patron of a school, called the 'School of Industry,' for the reception of young females. A committee of ladies, secretary, etc., were appointed. Your Lordship need not here be reminded of the Charter and other proselytizing schools of Ireland. It is sufficient to say that this school was conducted on the same wicked and exclusive plan.[1] Father Therry, as a watchful pastor was bound to do, remonstrated with them on the inroads they were making on the creatures of his communion. He respectfully demanded a small portion of the colonial funds which these were lavishing, and continue to lavish. He said he would provide schools for the Catholic poor. His request was not complied with, while he incurred the displeasure of Mrs. Darling, Mrs. McLeay and her daughter, and of those over whom they could have any control." The strong language of Mr. O'Sulli-

[1] See newspaper account in Appendix A, No. 16.

van's letter was prompted by a keen realization of injustice. The events to which he alludes merit consideration at length.

Once again must the memory of Bigge's monumental enquiry be recalled. The Commissioner's Secretary was a Mr. Thomas Hobbes Scott, a man of many occupations from wine-selling to consular work. On returning to England, this gentleman's services during the Australian enquiry were recognized by his appointment to be Archdeacon of New South Wales, and in this capacity he reached Sydney in May, 1825. His first Charge to the Anglican clergy communicated "the gracious intention of His Majesty to divide the colony into compact parishes and to prosecute the work of education on a more liberal and comprehensive system than that which had hitherto been pursued." For this he was to receive a stipend of £2000 per annum, and become possessed of wealthy pluralities and a seat on the Council. Pointed allusions to the position of the Catholic chaplain, which he made in his published plan of campaign and in speeches to the Legislative Council, were ominous of further restrictions on Father Therry. Dr. Ullathorne gives an instance of the powers Scott wished to exercise. "Every effort," he writes, "was made by Archdeacon Scott to make Protestantism by law the religion of the State throughout the colony. He had even demanded, as a right, that the Catholic baptismal and matrimonial registers should be forwarded to him; and in this demand he was sustained by the Attorney-General. Father Therry courageously resisted the demand, and eventually his refusal triumphed." The Archdeacon's blustering attitude indicated that he was expecting a grant of further powers to enable him to carry out successfully the establishment of the Anglican Church.

The expected favours were not long in coming, and were of so liberal a nature that to us their scope and influence are astounding. In a despatch (dated January 1, 1825) from Earl Bathurst to Sir Thomas Brisbane notification is given of a plan of provision for the Church of England[2]:—

[2] *Historical Records of Australia*, xi., 438-9.

. . . . The making of an adequate provision for the support of the Clergy of the Established Church of England throughout the Colony, and for the Education of Youth in the principles of the Church, is a subject which has engaged the peculiar and anxious attention of His Majesty's Government; to answer these great ends, it has been thought necessary to establish a corporation, to consist of the Governor as President, the Lieutenant-Governor, the Chief Justice and the members of the Legislative Council for the time being, the Archdeacon of New South Wales, the Colonial Secretary, the Attorney and Solicitor General. . . . . .

It is proposed to invest the corporation with an estate in each County into which the Colony is to be divided. That Estate will, as nearly as may be, lie in one continuous and unbroken tract. . . . These lands to be called the Clergy and School Estates will comprize one-seventh part in extent and value of all the lands in each County. . . . The lands thus to be set apart must be of an average quality and Value in reference to the general value of the lands comprized in the County, in which each particular allotment may be made; and they must select such situations as may afford a reasonable and equal share of all those natural advantages of water carriage, or other internal communication, which may be possessed by the lands in general throughout the County. . . . .

The "Draft of Charter of Incorporation for management of Church and School Estates"[3] is a most enlightening testimony to the affection of the Home Government for the Established Church in Australia. Whilst authorizing and confirming all privileges mentioned in the letter just quoted, it bestows more favours on this spoilt child of a doting parent. The Corporation mentioned above is united into a company, with perpetual succession, by the name of the Trustees of the Clergy and School Lands in the Colony of New South Wales. Strict regulations are laid down for the appointment of a staff to direct the management and sales of this vast tract given into their hands. Nor are they to lose the glebe lands which had been granted to the Anglican Church a short time previously:—

And we do further grant and declare that all the lands,

[3] *Historical Records of Australia*, xi., 444 sqq.

heretofore set apart within the said Colony for the support of the clergy of the Established Church, and known by the name of Glebe lands . . . . shall . . . . . pass to and become vested in the said Corporation. . . . . .

Education was to benefit. But it was an education in which Catholic children could not conscientiously take part. "We do further direct and Ordain That the schools, so to be established as aforesaid, shall be subject to the order, direction, and superintendance and control of the clergyman or minister of the Church of England. . . and the Bishop . . . shall be . . the Visitor of all the said schools throughout the said Colony. . . . The Bishop . . . shall nominate and appoint the school masters." Thus the State schools were closed to Catholics—at least, to Catholics who did not wish their children to be brought up in the tenets of the Anglican Church.

The orphanages fared even worse. Parents might prevent their children from partaking of an education which they could not conscientiously sanction. But orphans could not appeal to any authority.

It is our Will, and We do further declare That all and every the lands and tenements within our said Colony, heretofore appropriated and set apart by the former Governors of our said Colony, or any of them, for the maintenance and Education of Male and female Orphans, and all such parts of our Revenues arising within our said Colony, as hath by any such Governor been appropriated and set apart for the Education of Youth therein, shall be and the same are hereby vested in and placed under the Management, care and superintendance of the said Corporation, to be by them applied and disposed of in aid of the Funds aforesaid in and towards the Education of Youth in the said Colony in the principles of the Established Church.

It is easy to picture the struggling efforts of Father Therry, single-handed, penniless and alone, against an opponent so well endowed with Government favour and a seventh of the lands of the colony.

Though the Corporation was short-lived, the influence it wielded was incalculable. Such liberal bequests as it was in-

tended to enjoy were hardly practicable in 1825; five years later it was almost impossible to obey the orders. In 1829 it was intimated that the King wished to withdraw the Charter, but this was not done until the 4th of February, 1833, the notification being officially gazetted on the 28th of August. In the few years of its existence, according to the statement of the agent for the Corporation, 435,765 acres had been granted, and nearly 16,000 had been sold. The remainder reverted to the Crown.

To understand the serious position in which Catholics had been placed, it is necessary to estimate the importance of these official attempts to establish the Anglican Church. The census of 1828—at which date the Corporation was in its heyday of success—gives a total population of 36,598. Of these 25,248 were members of the various Protestant religions, and 11,236 were Catholics. During the five years of the Corporation's active reign, the sum of £91,500 was given to the Anglican Church, besides a special Parliamentary grant in 1826. The Catholic Church in the same period benefited to the extent of a little more than £1000. Had the Corporation been kept alive in accordance with its Charter of Constitution, there would gradually have been created—in the words of Dr. Ullathorne—"a sort of clerical caste, a body of Christian Brahmins, *minus* their mortifications and self-denial. Valuable appointments would have soon been found descending in families. There would have been a line of priesthood, almost as certain as a succession of title or an entail of property."[4]

To secure the rights of the ten thousand Catholics, there was only one man to raise his voice—one priest, whose religion was ignored by the State and actively persecuted by many officials of the Government. The Catholic children in the Government Orphanage must forfeit their faith, and be brought up in the religion of the State. Father Therry was denied admission to these institutions; when he petitioned Government for permission to distribute the Catholic Cate-

[4] *Reply to Judge Burton.*

chism among the Catholic children, he was informed that "the petition having been submitted by His Excellency to the perusal of the Venerable Archdeacon Scott, it is his opinion that the catechisms should not be distributed in the Orphan Schools of the Crown." If Father Therry officiated at a burial in public ground, he did so on sufferance; the stole-fee was demanded by the Protestant minister, and, if refused (as happened in some cases), was exacted by him in his capacity as magistrate.

Whatever consequences might follow, the guardian of the Catholic people could not stand idly by. On 14 June, 1825, he published in the *Gazette* his plans for remedying Catholic disabilities. He had to thank a generous benefactor, and took occasion to bring under the public notice the need of accommodation for his people in Sydney and the outlying districts. To counterbalance the impossible system of public education, he proposed to establish a Catholic Education Society. The text of his article is of such importance that it must be quoted in full:—

The Roman Catholic chaplain has publicly to express his grateful acknowledgments to Mr. James Burke, of Airds, a native of the colony, for his offer of five acres of cleared and valuable land, contiguous to Campbelltown, as a burial ground and site for a chapel and school-house, and for his still more liberal promise to give double that number of acres, if so many should be required for these purposes. It may be necessary here to state, that the Roman Catholics who form the greater number of at least the free inhabitants of that, and of some of the adjoining districts, having no place to assemble in on the Lord's day, for the purpose of divine worship, but the open air (in which the prisoners of that persuasion are obliged to continue for hours together, on every Sunday, exposed to all the vicissitudes of the weather, in order to be exempted from a necessity of attending at ceremonies of which they cannot conscientiously approve); and having already liberally subscribed to the erection of the Sydney chapel, the funds of which are indeed nearly, if not completely, exhausted, decline contributing any further to that edifice, until they shall have first erected a temporary chapel in their immediate

neighbourhood. And, as from a document[5] which has been recently published, it may be inferred, that public provision is to be made for Protestant parochial schools exclusively; and that the children of the Catholic poor are to be either excluded from the salutary benefits of education, or compelled or enticed to abandon the truly venerable religion of their ancestors, according to the past and present system of the Orphan School establishment in the colony; and as the lesser of these evils is to be deprecated as a most serious one, the Roman Catholic chaplain, with the fond hope of obviating both, is determined, *Deo adjuvante*, immediately to form a Roman Catholic education society, into which, however, persons of any persuasion may be admitted, on subscribing to its funds fifteen shillings a year, or one shilling and threepence per month.

But, he has seriously to regret, that this design has not been anticipated; or, that its execution has not been reserved for less humble and more efficient instrumentality than his.

The intention of the Roman Catholic chaplain, to procure places of burial separate from those of the Establishment, will not be ascribed by any person who happens to know him, to a spirit of illiberality. The idea was first suggested to him by a personage of high rank and distinguished liberality and benevolence, of another persuasion, who had known by experience such a measure to be in strict accordance with the discipline of the Catholic Church, and calculated to prevent the clashing or inconvenient interference of the respective duties of clergymen of different societies, and the recurrence of an instance which had more than once taken place, in which burial or surplice dues were required from the surviving friends of deceased Catholics, by a minister who had not officiated at the interments; and, on payment of them being refused, were enforced by him in his capacity of magistrate.

This precedent, however, he feels it his duty also to state, has neither been nor is likely to be adopted by the other Rev. Gentlemen of the Establishment, who (with the Reverend Gentleman alluded to, who he sincerely believes on these occasions merely vindicated what he considered to be his just rights) are in every way entitled to, and possess his unqualified respect.

Sydney, June 14, 1825.

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[5] The Anglican Archdeacon's visitation charge.

The Editor of the *Australian* ably supported Father Therry's claims in a leading article; but this was the only voice raised in approval. By some fateful mischance, the last phrase of the *Gazette* article was printed incorrectly, and read: "are in every way entitled to, and possess his *qualified* respect." Although an apology was immediately published, and the explanation given (and confirmed by the printer of the *Gazette*) that the objectionable word was merely a typographical error, and that no insult was intended, Father Therry was assailed on every side.

The occasion so long awaited was at hand. Persecution, veiled in the past, now became active and bitter. Directed as it was at the person of the only priest in the colony, it reached its mark in the whole Catholic community. Archdeacon Scott presented a formal complaint to the Home Government, demanding the removal of the Catholic chaplain.[6] In a memorial drawn up by Father Therry in 1833 the incident is more fully described.

> Petitioner was removed from his Official situation as Government Chaplain, and his salary withdrawn, by order of Earl Bathurst, who, at the same time, ordered that three hundred pounds sterling should be given to Petitioner to provide a passage to England, should he wish to return thereto. Petitioner could not for any temporal consideration whatever, without compromising an imperative and most sacred duty, consent, at that time to leave the Colony, circumstanced as the Flock committed to his pastoral care then were.

The ban of this suspension was not removed, in spite of frequent petitions, till 1837. During the intervening twelve years he laboured, for some time single-handed, but always without the official status of a Government Chaplain.

The reason for this violent upheaval of Protestant opinion is evident. Father Therry was the first man of any consequence to attack an unjust system of favouritism and prodigal public expenditure. He had dared to speak out what hundreds had thought.

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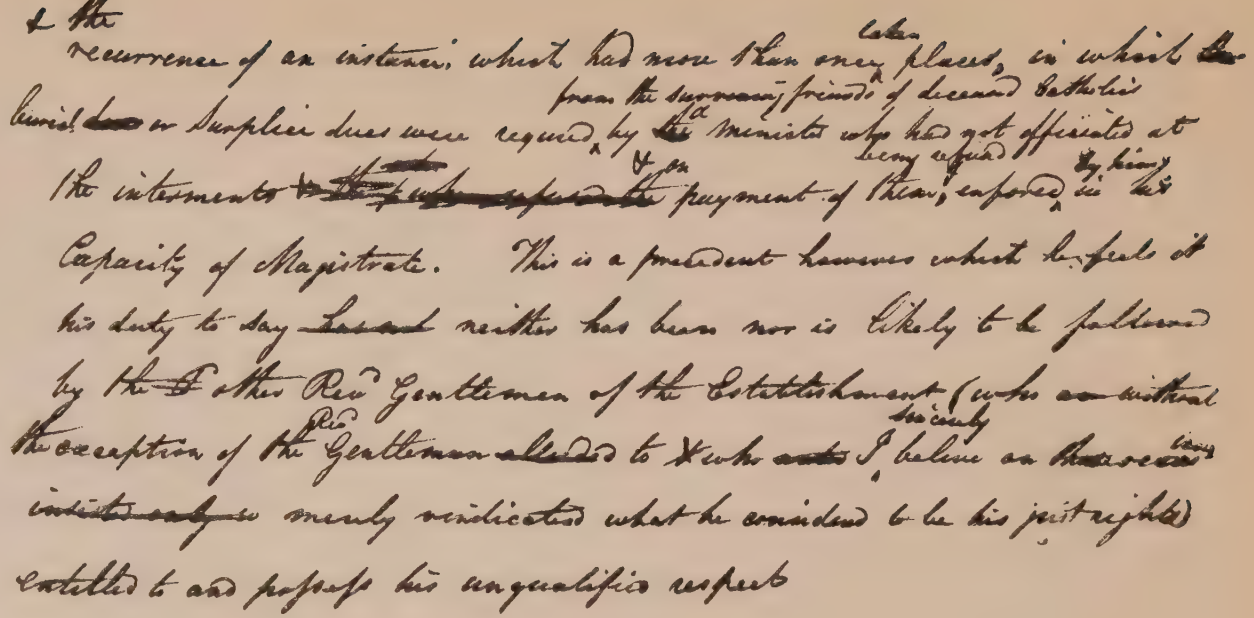
[6] Ullathorne's *Autobiography*, p. 51.



ORIGINAL DRAFT OF THE PASSAGE IN FATHER THERRY'S *GAZETTE* ARTICLE OF JUNE 14, 1825

Though Father Therry did not realize it at the time, he was, as Dom Birt truly says, "by his courage and by his uncompromising attitude, fighting the battle of liberty and equality against the injustice of the Church Lands Charter, and was paving the way for the Church Act which was so distasteful to the members of the Established Church, as depriving them of their unwarranted predominance."[1]

It is to this struggle that we must look for the seeds of religious liberty in Australia.

[1] *Benedictine Pioneers in Australia*, I., 132.

CHAPTER VII.

Though a battle's to fight ere the guerdon be gained.
—Browning.

The Catholic Church was now being attacked from all sides, and its only pastor was cut off from public recognition. It seemed probable, however, that the effect of this violence might be merely temporary, for not only leading citizens, but Wentworth's newspaper, the *Australian*, were inclined markedly to sympathize with the oppressed Catholics. On two occasions leading articles in the *Australian*, subsequently reprinted by Father Therry as pamphlets, championed the Catholic cause. One, entitled "Extract from a Leading Article of the *Australian*, edited by R. Wardell, L.L.D."(*sic*), may be quoted here:—

We are sorry to learn that the funds of the Catholic Chapel are at a very low ebb, and that on this account it is probable the progress of the building may be greatly retarded. In the completion of this structure the inhabitants of the Colony are much more deeply interested than is commonly imagined. Every friend to peace and good order, every liberal promoter of religion must feel desirous of contributing his mite when he considers how much the having a Catholic place of Worship may influence the morals of a great portion of the Community, and prevent many evils to which unoccupied time and thoughts give rise. It is not for us to investigate the merits of different persuasions; all equally conduce to the same end, all are equally meritorious in the eye and estimation of ONE. Bigotry and intolerance may shrink from giving aid to the funds of the Catholic Chapel, merely because the Catholic Faith would be thereby promoted. But the enlightened mind looks far beyond such narrow views. The followers of this religion are exceedingly numerous in all parts of the Colony, and have no means of keeping the Sabbath as a day of devotion. The Protestant Religion is well taken care of, because it is the religion of the Land as by Law established. Its institutions are a national concern, and in truth are nationally supported. But when we consider that by preserving the religion of the people, though that

be the Catholic Religion, we preserve their morals, we should not startle at 'outward forms,' nor be unmindful of affording the Catholic the means of attending his sanctuary on Sunday.

There is for the most part a more general inclination among Catholics to visit their Churches than among Protestants, but the neglect of public worship in the former when it is voluntary, arises from a total estrangement of the mind from the bonds of religion. Separate a Catholic from his religious duties, and you weaken the force of his conscience, and destroy his religious faith. It is of consequence, therefore, to give all possible furtherance, not only to the Catholic Chapel in Sydney, but to the performance of the Catholic worship in such part (*sic*) of the Colony as are known to contain a great many Catholic Members of Society.

There is every inducement for persons not to be sparing in their contributions, as, through the liberality of Government, the Colonial Fund is pledged to double the sum raised from the public.

The want of Catholic Seminaries is likely also to become matter of much consequence here, and since the attention has been directed to the establishment of public Protestant Schools it would not be illaudable in the Government to second and promote the liberal views in this respect, of the worthy Catholic Pastor. This Gentleman contemplates the institution of a School, at which might be educated both Protestant and Catholic children. Though he may not, on account of this Statute, be able to effect his object on the liberal scale suggested by his unprejudiced mind, we hope that it will be supported as far as it can, and not left entirely to his single efforts.

To put new life, therefore, into the waning fire of antagonism, Father Therry's opponents revived a cry which bigots have often used before and since, because the seriousness of the charge and the insidious fastening of it on a community rather than on an individual have usually ensured its success. They alleged that the existence of a Catholic community in the colony was dangerous to its well-being, as the tenets of the Catholic religion made loyalty to a Protestant King impossible.

Father Therry lost no time in meeting and confuting this accusation. He arranged for the reprinting of a pamphlet written by "one who had been a Bishop of the Church for

nearly half a century,[1] and who should therefore know what he spoke about." An advertisement of this Tract, published in the *Australian* on 4 August, 1825, was subsequently reprinted in pamphlet form. It reads:—

At a time when numerous tracts, replete with misrepresentations of the Catholic religion, are industriously circulated, both by interested and well meaning persons, no honest and unprejudiced mind can be dissatisfied at the publication of a Tract, containing a candid exposition, and a brief and temperate defence of the general discipline and doctrine of that religion; and from the pen of a Prelate, venerable for his sanctity, science and age, who having been for nearly half a century a Bishop in the Catholic Church, must be supposed to understand the subject of which he treats. It has been lately reprinted, and may be had at the Chapel School-house, Hyde Park. Price one shilling.

From this Tract even the liberal and enlightened Protestant, as well as the uninformed Catholic, may derive a more accurate knowledge of the tenets of Catholicism, than through the medium of its conscientious, but not always unbiassed, opponents—and ascertain whether Catholics are not bound by as strict bonds of allegiance to their Sovereign, and as strong ties of affection to their brethren, of every sect, as the members of any other religious community. To the King they are bound by affectionate gratitude, as well as allegiance. His sentiments towards them are always paternal, as has been recently evinced by his royal proclamation regarding religious equality, as to civil rights and priveleges (*sic*), in his Kingdom of Hanover, of which he is not, as in Great Britain, a limited and irresponsible, but a responsible and absolute Monarch; and where being more exempt from influence, and less liable to be controlled by circumstances, he may the more freely indulge the predilections of his truly benevolent heart.

Their affection for their Protestant brethren also is considerably strengthened by the increased and increasing liberality, of which they have daily experience.

It is certain that neither the Government nor the public can, in any possible manner, be inconvenienced by the strict adherence of the Catholic to the principles, and his prompt obedience to the precepts of his religious faith; as experience demonstrates that the more strict they are, the more securely

[1] The tract has not been found among the Therry Papers, so that the author's name cannot be ascertained.

may reliance be placed on his allegiance and fidelity, in every capacity and under any circumstances.

It is therefore desirable, the more especially as the Roman Catholic Chaplain has it not in his power to communicate verbal instruction to any considerable portion of his community, that some means should be speedily devised to distribute amongst them such religious books as may be approved of by their Pastors, and from which only they are likely to derive benefit. But he is prevented by the almost exhausted state of funds of the Catholic Chapel, and the perilously exposed state of the building (without a roof, as it is likely to be for a protracted period, unless the wealthy and benevolent portion of the inhabitants of Australia again come forward to its aid) from devoting much of his time and attention to any other object requiring pecuniary assistance, than the remedy of this serious inconvenience. A dollar a year, however, might be contributed by very many benevolent persons, for the former purpose, without an infringement on whatever benefactions they may intend for the latter.

Sydney, August 2, 1825.

The list of subscribers to the Catholic Chapel, Hyde Park, will, it is expected, be ready for publication in the course of the ensuing month. Subscriptions, in the interim, will, as usual, be received by J. T. Campbell, Esq., J.P., Treasurer; Captain Piper, J.P.; Messrs. Berry and Wollstonecraft; A. K. Mackenzie, Esq., Bank; and the Reverend J. J. Therry.

In the pamphlet this is followed by a characteristic pronouncement of Father Therry's, dated 10 November, 1825. It begins:—

The Roman Catholic Chaplain, in consequence of a recent occurrence caused, as it has been publicly conjectured, by clerical influence, feels it incumbent on him to inform or remind his brethren of every religious denomination, that the impious and demoralising law which authorised the appropriation of any bequest made to a Catholic Institution, whether religious or charitable, to pious Protestant purposes, can no longer be resorted to, as an authority and sanction for sacrilegious spoliation.

Persons of every persuasion may now, Heaven and a liberal Government be thanked, bequeath property even to Catholic Trustees, for the endowment of Catholic establishments—such as a college, seminary, orphan school, convent, or

monastery. Mentioning the two last, may possibly excite alarm in the minds of some persons who appear to forget that the English Church, as at present constituted, is indebted to similar institutions for a great portion of the erudition and opulence for which her clergy are so pre-eminently distinguished; and it is hoped, that this alarm may not increase, on being as they are hereby informed, that three ladies, who are learned, respectable, and independent, and who have spent many years in a convent, employed in imparting religious and moral instruction to the female poor, are now anxious to devote the remainder of their lives to the education of[2] , , , ... in this interesting colony, and only await the formation of a suitable establishment for their reception.

The Roman Catholic Chaplain is not without a hope of being enabled to induce also, two gentlemen, who are, and have been for some years, inmates of a monastery, where no less than six hundred poor children are now being educated gratuitously, to devote their services to the poor children of this Country.

The forces arrayed against the hard-pressed missionary were many. The period was fraught with great issues. The success or failure of the Church in Australia depended, to an alarming extent, upon his method of acting in these serious circumstances. Two courses lay open to him. If he restrained his indignation at the unmerited treatment Catholics had received ever since Archdeacon Scott's arrival, the persecution might lose its force in a few years; but he would thereby have given tacit approval to the spoliations contemplated and already begun, and would have forfeited rights that might take the Church many years to redeem. If, on the other hand, he publicly defended his Church and fought his opponents with all his energy, he would bring on greater troubles. His nature was too impulsive to follow any but the latter course. He was a Celt, and therefore a fighter. He began by summarizing for the public benefit the difficulties under which he laboured:[3]

A dignitary of the Protestant Establishment, who in private life is, without doubt, benevolent and amiable, has been lately invested with powers, which, however they may operate

[2] The extant copy of the pamphlet is here mutilated.
[3] We quote again from the pronouncement of November 10.

in respect to his own Church, are not likely to shed a salutary influence on any other. Two thousand pounds a year, exclusive of emoluments—a seat in the Legislative Council, from which one or two of the more experienced of the five members, of which it consists, may sometimes unavoidably be absent, in consequence of indisposition, or a multiplicity of pressing business —a directorship in the great Agricultural Company—the office of King's Visitor of all Public Schools—the power of disposing, for specific purposes, of some hundred thousand acres of land, a plentitude of ecclesiastical jurisdiction; all these, may, in the hands of a political Archimedes, form a lever of a power sufficient to disturb at discretion, the very foundation of the Catholic Church as established here, and with it the peace and safety of the Colony, unless it speedily derive additional weight and strength from the government or the Protestant Community. And although it is certain that these advantages have not been intended by his Majesty's Government for such a purpose, yet circumstances have occurred, since they were conferred, which afford sufficient ground for alarm to the Catholic body. They have been told that certain promises, made in their favor by his Majesty's Representative, would not be approved or confirmed by the King, that the Church which they intend to dedicate to the service of the Omnipotent, will be considered by Earl Bathurst to be too magnificent and expensive; although it is known that a house for one of the Junior Protestant Chaplains has lately cost government nearly as great a sum as has been expended on the former. Some unfortunate men, whose terms of transportation have not as yet expired, have been punished for refusing to attend the lectures of Protestant Divines.

An Act of Council has lately passed, by one clause of which the Catholic Clergyman may be made tributary to the Protestant Minister; and in virtue of which he must either abandon his flock, or involve himself and many of them in interminable litigation. Protestant servants are selected for the Orphan-schools, and Catholic books, even catechisms, are excluded from them, lest any of the children of Catholic parents should be induced to return to the Holy Religion from which they had been enticed—and for the preservation and safe transmission of which the ancestors of some of them cheerfully submitted to the alienation of their property. Major Goulburn, whose character is known rather by his deeds than his words, by his private and public acts of liberality and beneficence, more than by professions, the sincerity of which might have to be sub-

jected to the test of experience, and to whom the Catholics are under many serious obligations, would have long since thrown open the doors of these Institutions to Catholic children, without requiring an abandonment of their religion, if he had not to contend with circumstances which he could not control.

The humane and illustrious Sir Thomas Brisbane, who has bravely fought and copiously bled for his Country and her religious and civil rights—who established, on his arrival here, full freedom of conscience, which, even to the army, had 'till then, been denied, and whose administration has been distinguished for its liberality, in a much higher degree than any preceding one, could not be supposed to be unfavorable to such a measure. In fact, his Excellency, at the solicitation of the Roman Catholic Chaplain, condescended to submit Catholic books, intended for such of the children of these Institutions as were generally known to be of Catholic parents, for the approval of a very Reverend Personage, but his Excellency's mediation has been rendered abortive—they have been rejected.

The Roman Catholic Chaplain, notwithstanding, solemnly declares, that he entertains no feeling towards that very Reverend Gentleman, that can, in any manner, be incompatable (*sic*) with the highest regard, esteem, and respect, to which his many amiable qualities eminently entitle him.

Sydney, November 10, 1825.

The *Australian* again came forward in support of Father Therry's claims, and on 29 December published the following article:—

From the tenor of an advertisement which has appeared in our columns relative to the Catholic interest, we are led to apprehend that some efforts will be made to render abortive much of that liberal policy which was observed during the late administration towards the professors of the Catholic Religion.

We are far from coinciding in opinion with those who imagined that the absence of a Catholic Pastor, and the want of a Catholic House of Worship could at any time be productive of good, or that had neither the one nor the other been supported, all religious distinctions would have melted away, and Catholicism have merged in Protestantism. When there was no Catholic Chapel, the prison population of the Colony attended Church. But how did they attend? Did they voluntarily, or were they compelled, with the lash held over them, in case of

disobedience? or how many of the Catholic persuasion, who could be denominated free agents, were found at Church? It is not only contrary to universal experience that opposition to a peculiar form of worship, or deprivation of the means of worshipping, according to the precepts in which people have been educated, will occasion a retractation of religious doctrines —but it is repulsive to a religious mind to adopt, as a medium of salvation, those rites it has been taught to consider heretical. Convince such a mind that it has been in error, and it will naturally regulate its worship according to the light which has broken in upon it; but this we are very certain is the only way in which a change of religious tenets can with safety be effected. People are accustomed from their infancy to cherish the "outward form" as much as the "inward and spiritual grace;" and every sect on assembling at their public devotions, consider their mode of offering them up to their Creator as the most acceptable and propitiatory. There are, indeed, some minds that will break through the trammels of a mistaken education; that are as much removed from bigotry, fanaticism, and prejudice, as from licentiousness and impiety; that can reject the form and preserve the essence, of religion; that can worship the Deity with equal fervour, sincerity, and efficacy, in a Hindoo Temple, a Conventicle or a Church, or in a field; can join with a Brahmin, a Priest, a Reverend Divine, or an extemporaneous "Preacher of the Word of God." But these are minds superior to vulgar prejudices, and yet minds that would respect those prejudices, because those who laboured under them thought them essential and as sacred as their sacred prayers.

It is quite certain that none but such as know nothing of religion, either by practice or in theory, would talk of breaking down one faith, by depriving the followers of the means of pursuing it, or of setting up another by constraint and compulsion. The superstitions of any sect disfigure a religion, and expose it to the attacks of controversialists; but surely it is no argument for annihilating a sect altogether; if it were, the best of them would stand little chance of preservation. But these considerations have nothing at all to do with public policy, with regard to the Catholic Religion in this Colony. Its toleration is recognised by the English Law, and its peculiarities are not to become the subject of discussion in deciding upon the extent of aid it is to receive. There are other grounds upon which to proceed, and which alone can have weight in any public measure wherein it is concerned.

The existing state of the Colony with respect to the

Catholics, appears to have been duly weighed when the liberal assistance towards building the Chapel was promised and conceded. This arrangement can never be interfered with, without a breach of faith on the part of the government, and we will venture to believe, that holy zeal for the Protestant Establishment of the Colony will never mislead the higher dignitaries of the Church to recommend such a violation; and further, that no coercive means will be had recourse to, either to bring the upgrown into communion with the Church of England service, or to effect the conversion of their children.

We want nothing with religious dissensions here. We wish to see all sects protected, and all people left to worship their Maker in their own way. By this means alone will true religion thrive—by this means alone will it take the place of heated intolerance, which is apt to banish happiness, cordial feeling, and sanctity, from society.

More than one third of the Colony profess the Catholic faith, and if these be not allowed, or have not the opportunity to meet in their Chapel, they and their posterity may be expected to become worse than heathens, and more insubordinate than savages.

As long as England is blessed with a free constitution, and as long as any of her Colonies have reason to hope for, or possess the same freedom as herself, we hope to see religious sects encouraged; but particularly, the two leading distinctions among them of Catholics and Protestants, kept up with the greatest vigour. They are to the Church, what Whig and Tory are to the State. They help to preserve religion in greater purity. The rival Pastors are not only guardians of their own followers, but they are a watch over each other. On neither side dare they sleep on their post—on neither side dare they become negligent of their flocks, who necessarily become enlightened in proportion to the vigilance and exercised energies of the Ministers of Grace. We cannot then regret that a Catholic Clergyman should have commenced his ministry in this Colony, or that he should have called together the scattered Catholics,—because we neither think that the Catholics would have dropped off, nor do we think that if they had, the morals of the community would have been thereby improved, and that people would have become good Protestants. Had indeed such an improbable event happened, Protestantism would have been dominant in name, but neither the people nor the Pastors would have possessed an equal degree of religion.

The struggle was between two strong men, each the recognized spiritual head of a large following. On his first visit to Australia, as secretary to the Bigge Commission, Scott had been on friendly terms with the Catholic priest. Even in the stress of this controversy Father Therry wrote to his Bishop that he had found much to admire in his opponent, though much also with which he disagreed. On his arrival as Archdeacon, however, Scott informed Father Therry that before leaving London he had persuaded Dr. Poynter to agree that Catholic convicts should attend Protestant service. Father Therry, in explaining this to his Bishop, is charitable enough to presume that the Archdeacon had misunderstood Dr. Poynter.[4]

His language to the Government was no less straight and fiercely to the point. Government did not like this method. Here was a man who would not give in. He had introduced a new element into colonial legislation. He overlooked or disputed utilitarian reasons and party interests. He asked whether a law was morally justifiable. Threats were of no avail where Father Therry perceived a moral issue.

It was impossible for a Catholic priest to obey the local marriage laws, enforced as they were by district magistrates, some of whom were ministers of another religion. A Catholic marriage was probably the most difficult contract of the time. Father Therry had often put his case before the authorities; in 1826 he again protested against the miscarriage of justice. He had been reported for disobeying the decree of Macquarie, and in reply made it clear that regulations contrary to the law of God and reason have no binding force with him. He is willing to resign rather than sacrifice principles which he has not the right to deny:—

Sydney, 24th June, 1826.

Sir,

I had the honor on yesterday evening to receive your letter of the 22nd inst. informing me of a complaint having been made of my having solemnised a marriage in the Parish

[4] See also letter in Appendix A, No. 18.

of Windsor between a Catholic and a Protestant contrary to the instruction I had received from Major-Genl. Macquarie dated the 14th of October, 1820, and calling on me by the command of His Excellency the Governor for an explanation, and in reply I beg to state that there have been but two marriages recently solemnized by me in said Parish to which this complaint can possibly refer, and that in both cases the parties were natives of the Colony and married by me with the consent of their Parents. Of this marriage no person in my opinion has had any sufficient reason to complain unless it be the Protestant Minister who thereby lost his fees. But it is almost incredible that a Gentleman who, having himself professed the Catholic Faith for many years, must know that a marriage between Catholics, in any place where the Council of Trent is received, as it is here, is considered to be utterly invalid and that such parties invariably consider themselves at liberty to separate when the caprice or convenience of either may require it: who, notwithstanding, scruples not to perform and take the fees for such marriages; should complain of me for having performed a marriage the validity of which he must allow and of the illegality of which, if there be any, he cannot be certain.

But perhaps the Revd. Gentleman does not know that I required no fee at either of these marriages altho I had not travelled to the place where they were performed quite free of expense. I certainly received four dollars and no more at each which it would have been an offence to refuse but at the same time and place I had a Chaise, which cost me more than a half year's salary, broken to pieces, and I have been obliged to use a borrowed one ever since.

With regard to the letter of instructions of Major General Macquarie I beg to state that I do not now, that I never did and never shall consider them as imperative. I refused *ab initio* to comply with them as I now do, *de novo*. I freely admit that I thereby incurred his displeasure and subjected myself to the numerous inconveniences which resulted from it; but it was not of long continuance, for having discovered that my refusal had not originated from a spirit of disobedience, nor from any want of respect for his person and Government, he received me again into his favour as may be evidenced by some of his autograph letters now in my possession, by his public answer to my address at the ceremony of laying the first stone of the Catholic Chapel, and by his having at a public Dinner at which I had the honor of being present appended

the rights of Conscience to the Arch Bishop of Canterbury instead of his usual accompaniment "The Protestant Ascendancy." The Major General was suspected by many persons to have supported the Catholic Religion with one hand only for the purpose of being thereby enabled the more effectually to undermine it with the other; and the irreligious odious and unjust system which is still upheld by clerical ingenuity at the orphan school institutions, and of which he was the Author, confirmed that suspicion. But altho I had many reasons to believe that he was somewhat prejudiced against the Catholic Religion yet I never ascribed any of his actions, even in thought, to any but pure and honorable motives for I conceive that he had persuaded himself to believe the Religion of the State to be that of Jesus Christ.

The partial and Proselytising System of our Orphan Schools had been long tried in Ireland and its baneful influence has withered the fairest Flowers and blasted the finest fruits of the land; its unvarying tendency was to disunite, impoverish, demoralize and degrade. It paralysed the energies of a brave loyal generous and grateful people and by perpetually furnishing cause of discontent and disaffection held out no trivial encouragement for Foreign aggression, and thereby contributed not a little to produce the awful calamaties (*sic*) of the many wars in which we have been engaged, calamities for which a glorious triumph and a permanent peace cannot fully compensate.

May I therefore be permitted most respectfully to beg that His Excellency Lieut. General Darling whose Government is distinguished for its impartiality and wisdom, who appears to take a pride in protecting the poor and the humble from the oppression of wealthy arrogance, and in whose Administration I hope I may say with the Royal Psalmist *Misericordia et veritas obviaverunt sibi; justitia et pax osculatae sunt,* may be graciously pleased to ameliorate this System or otherwise to order that some means shall be allowed to such Catholic Parents as have their children there of rescue *(sic)* them from the fangs of voracious intolerance from the Idol of Apostacy.[5]

[5] This is an exact reprint of Father Therry's much-corrected draft, found among the Loyola papers. The version printed in the *Historical Records of Australia* (xii. 545) differs in unimportant points only.

The "Protestant Minister" mentioned must have been the Revd. J. Cross, Anglican Clergyman then in charge of the Windsor parish; but nothing is known of his having formerly been a Catholic. The "marriage between Catholics" referred to is one—as the *H. R.* version makes clear—"performed by a Protestant or Dissenting Minister."

The polite irony of this letter was more than Darling could stand. He laid it before the Executive Council; he sent a copy to England in a special despatch; it was, he wrote, "offensive," "insulting" and full of "improper observations and invectives":—

Mr. Therry is a man of strong feelings and not much discretion. He is evidently disposed to be troublesome, and, constituted as this community is, might be dangerous. . . . He is indefatigable in his endeavours to preserve his influence among his countrymen, and is constantly going from place to place with this view. From the similarity of character, he can hardly fail to succeed. . . . . I must confess to your Lordship that I have no desire to see any more of the Clergy of the Catholic persuasion here. . . . I understand Mr. Therry is acquiring wealth, and, as his influence will increase with his means, his immediate removal appears the more desirable. I would beg to point out that, in selecting a Catholic Priest for this Colony, it is most important that an Englishman should have the preference, the Catholics here being, I believe, nearly all Irish.[6]

Comment on this letter is unnecessary; Darling betrays himself in it exactly as he was. But one additional quotation from his despatches will help to complete the picture. In a "secret and confidential" despatch of 15 December, 1826, after denouncing with great vigour E. S. Hall, the editor of the *Monitor*, he adds:—

I suspect a Mr. Walker, an expelled Wesleyan Missionary, is associated with him, and that this junta is completed by Father Therry, the Roman Catholic Priest! These People are dangerous from their Connexions with the Convicts.[7]

The Executive Council, for its part, condemned Father Therry's language as unbecoming, and directed that he should be informed that the system pursued at the Orphan Schools ("and to which he applies such indecorous epithets") was the only one which could be adopted consistently with His Majesty's Instructions. But on the question of mixed mar-

[6] *Historical Records of Australia*, xii., 543.
[7] *Historical Records of Australia*, xii., 762.

riages, and Father Therry's refusal to obey Macquarie's orders in their regard, the Council judiciously "hedged"; it was of opinion

that, consistently with the practice in England where it is not unusual for Parties, of whom one is a Protestant and the other a Roman Catholic, to be married according to the rites and ceremonies of both Churches, it does not appear to be expedient at present to enforce the injunction of Governor Macquarie on this subject.

This was just as well. For in the official reply to Darling's special despatch a new Colonial Secretary—Viscount Goderich, who had succeeded Earl Bathurst—found himself obliged to admit that Father Therry had been right all the time, and Macquarie wrong:—

With reference to that part of Mr. Therry's conduct, which relates to his having solemnized a Marriage between a Catholic and a Protestant, and to the general question which arises out of that transaction as to the legality of such Marriages, I have to acquaint you that, according to the principle which has been laid down in England, I apprehend that Marriages, celebrated by a Roman Catholic Priest in the British Settlements abroad, to which Settlements the Marriage Act, 26 Geo. 2nd Cap. 33, does not extend, would be held to be a valid contract.

In the particular case in question, the difficulty appears to have arisen from the Marriage being contrary to the Instructions, addressed by the late Governor Macquarie to the Roman Catholic Clergy, dated the 14 October, 1820. But, as he possessed no power of Legislation, he certainly could not make any Law at variance with a fundamental principle of the Law of England upon a subject so important as that of Marriage; and, therefore, upon the ground that those Instructions were illegal, I am of opinion that the Roman Catholic Priest cannot be considered as having acted improperly, however disrespectful may have been the language of his refusal in declining to adopt them as his guide.[8]

Father Therry, for his part, had no doubt about his duties. His reply to the Council's Minute withdraws nothing; he says he is not in the habit of making statements which he does not

[8] *Historical Records of Australia*, xiii., 372.

believe to be correct. He is a priest of the Church founded by God, and his duty is to protect that Church in Australia. He is loyal to King and Country and his fellow-beings, but would not, to please anyone, compromise a single essential principle of his religion. We give the document in full:—

Sydney, 24 July, 1826.

Sir,

Having been occupied in the performance of my professional duties at Liverpool, Parramatta and Windsor for the greater part of last week, I had not till yesterday on my return to Sydney, the honor to receive your letter of the 18th instant, in which you are pleased to notify to me that "His Excellency the Governor cannot avoid expressing his surprise and displeasure at the injurious opinions I had so unreservedly avowed in my letter of the 24th ult., respecting His Excellency's conduct, and at the very unbecoming language I had made use of in speaking of the Public institutions of the Colony, the Orphan Schools; and, that no other system than that which is at present pursued in them, and to which I had applied in my letter such indecorous epithets, can be adopted consistently with His Majesty's instructions, as signified by his Royal Letters Patent." In reference, Sir, to this notification, it is my duty to submit that it cannot but excite my astonishment to learn that a Personage of His Excellency's distinguished endowments, both natural and acquired, should have construed any part of my letter into 'an unreserved avowal of the injurious opinions entertained by me regarding His Excellency's conduct.' I am not, I beg most respectfully to state, in the habit of expressing opinions which I do not conscientiously feel to be correct, but the opinions which His Excellency has been pleased to ascribe to me I have never even once entertained.

With the Public Institutions of the Colony I never interfere, except as far as they are connected with spiritual and official duties, and so far I have not been, I can safely affirm, an unprofitable Servant to His Majesty; I consider myself to have been much more profitable, I shall take the liberty to add, than many who are better paid for their services; but, as the utility of a Catholic clergyman consists principally in the prevention and not in the discovery and punishment of crime, his services, however important, are often either unnoticed or undervalued. When His Excellency shall have recollected

that the epithets 'abominable,' 'idolatrous' and 'damnable' are sometimes applied to the unaltered and unalterable Religion of the Redeemer, he will not attach much blame to me for having applied the epithets I have used to a system intended to withdraw the children of the poor from that Religion which is the best inheritance that could be bequeathed, the only one to which they can have a claim.

The lambs are allured abroad, and forcibly prevented from returning to the fold of the Only Good Shepherd, Christ Jesus, Our Lord, and must His humble watchman hold his peace? Is he to be silent? Is he to be worse than a dumb dog? Is he, by consulting his personal interests or his personal safcty, to betray his precious, his sacred trust, purchased as it has been by his Divine Master's Most Sacred Blood? No, may he through Heaven's Mercy be rather deprived of his temporal existence.

His Majesty is known, universally known, to be a decided friend to toleration and liberty of conscience, as far as is consistent with morality and social order; and therefore the Benevolence and rectitute of his paternal heart would not permit him to patronise a System calculated to alienate from him the affections of a great portion of his loyal subjects. The illiberal Charter Schools of Ireland were for a long time liberally supported by the Legislature through an influence similar to that which now governs our Orphan Schools, and yet they are now pronounced by His Majesty's Commissioners to have been in a great measure nurseries of disease, ignorance, and cruelty; circumstances of which neither His Majesty, nor his Ministers, nor his Parliament, had any accurate information until the report of the Commissioners. His Majesty has been recommended gradually to withdraw his support from these institutions, and to re-establish them on better and more liberal principles, which recommendation has been graciously attended to. And I have no hesitation in asserting that a similar recommendation from His Excellency the Governor to the Right Hon. Earl Bathurst would be attended with equal success. It is now acknowledged by the wisest and most experienced statesmen, both in the Ministry and amongst those who are opposed to some of its measures, that neither the safety nor prosperity of the State any longer requires the aid of Proselytism from the Catholic Church—the loyalty of Catholics to their Sovereign and to the British Constitution having been satisfactorily proved to be as steady, ardent, and unqualified as that of the people of any other community.

I am, therefore, the more inclined to believe that His Excellency might with the utmost propriety, and without any risk of giving cause of displeasure to His Majesty or my Lord Bathurst, order a separate Asylum to be provided for the orphan children of Catholic parents, or at all events that His Excellency should allow, or rather order, a facility to be afforded to the parents, relatives and friends of such Catholic Children as may be confined in the Orphan School establishments to withdraw them from it.

During the last administration, I had the honor to solicit in an official letter His Excellency Sir Thomas Brisbane to order the abridgment of The New Testament particularly adapted to the capacity of Children and the unlearned to be reprinted for the benefit of the Catholic children in the Orphan School of the prisoners of the female factory, Carter's barracks, and gaols; and to propose to give security to pay half of the expense that should be incurred by the due execution of the work; and the object of my solicitation was granted in an official communication from Major Goulburn on the proposed condition. And, on my having subsequently expressed a wish to know on which of the Crown Solicitors I should wait in order to fulfil my part of the engagement, I had the honor to learn by another official communication that my letter was considered by His Excellency to have been sufficiently satisfactory. And, as I have not since heard anything regarding this little work, an apprehension is excited in my mind that this measure must have been comprised in the many benevolent ones which His Excellency contemplated for the benefit of the Catholics, or rather for the advantage of the State, and with which he was afterwards advised by a Clerical Gentleman not to embroil himself, but to leave their arrangement entirely to his Successor. I hope a similar advice may not now be given, but I have a better founded hope that it would not now be received; and I further hope that the useful, the excellent, the admirable establishment contemplated by the Governor's Lady, the bare conception of which, as it is publicly spoken of, reflects on her the highest honour, may not be contaminated by being made, through any influence or advice, the mere instrument of Proselytism.

Lest any zeal which I may occasionally manifest for the preservation in this Colony of the holy religion of which I am but a very humble minister should excite in your mind a suspicion that I dislike persons of the other persuasions, I now distinctly declare that it is my desire, as far as it is possible,

that is, as far as it is consistent with paramount duties, to be in peace with all and to give offence to none; that I dislike no man on account of his Religion; that I respect a moral man whatever religion he may belong to (some of my nearest and dearest friends and relatives are protestants); that, although I wish all mankind to be in the one fold under the one Shepherd, I would not feel justified in having in any case whatever recourse to force or fraud to induce anyone to come into it; and that I feel convinced there are not many men who would make a greater sacrifice to serve, please, and gratify the King or His Representative, although (I avow that) *opitulante Deo,* I would not to please either compromise a single essential principle of my Religion. And I beg to add that the man who would to please the Government abandon the Religion in which he firmly believes could in my opinion have no hesitation in sacrificing the allegiance due to his Sovereign at the shrine of his own interests.

I have the honour to be, Sir,
With undiminished respect,
Your obedient humble servant,
(Signed) JOHN JOSEPH THERRY.[9]

Father Therry was still in receipt of a Government salary of £100 per annum. He may have guessed that the document depriving him of this remuneration, and of his official position, had already left the hands of Earl Bathurst,[10] or he may have thought that, if his salary were forfeited, he would be at once freed from the heavy shackles that bound him to Government

[9] This version, which differs slightly from that given in Cardinal Moran's *History,* is taken from the final draft among the Therry Papers at Manly. An earlier draft among the papers at Loyola contains two interesting sentences deleted in that draft, which do not appear at all in the Manly version.

After "temporal existence" (p. 93) there follows a much altered passage to this effect:—

"It is wrong in my opinion for the Archdeacon" ('that Gentleman' above the line) "—for with him has this correspondence commenced and with him it is likely to terminate—to place the entire responsibility arising from what I consider, though he may not, to be the present bad system of the Orphan Schools on His Majesty's Letters Patent."

After "report of the Commissioners" on the same page follows:—

"The Orphan Schools in this colony have not been sufficiently long established to generate all or perhaps any such evils."

[10] Bathurst's despatch is dated 21 February, 1826, but did not reach Darling till 18 November. Dr. Poynter seems to have written direct to Father Therry on the same subject.

allegiance. At any rate, he wrote to the Governor, resigning his pension:—

I feel deep regret in being obliged to state that my situation has been rendered so exceedingly difficult and inconvenient since the commencement of His Excellency's administrations, to make it desirable that His Excellency would be pleased to discontinue my salary, and to impose no other difficulties on me than those to which I had to submit under the late administration. I would cheerfully resign my official situation if I could conscientiously do so; but at present I cannot.

His request, however, was not granted; instead, he was dismissed from his official position altogether, on the ground (as the *Reply to Judge Burton* makes clear) of alleged disrespect to the Protestant clergy shown by the phrase "qualified respect" (see p. 76).

So much of the missionary's time had been taken up in written controversy that little had been left for the completing of St. Mary's, and for his other duties in town and country. Among the Therry papers is a letter from India, written by James Dempsey, who had been collecting money there for St. Mary's. He complains of a poor reception; he could not speak Portuguese, and the Catholic people or ecclesiastics could not speak English. He had his letters translated into Portuguese, but did not arouse much enthusiasm for the cause of the Sydney chapel, although soldiers who had known Father Therry in Australia gave him some assistance. Dempsey was disheartened. "I took a horse and chaise and a guide to visit the Bishop," he wrote. "It was about five miles distant from Madras. I hoped to have had the pleasure of seeing His Lordship, but as I could not speak Portuguese he would not come downstairs to see me. I sent him my translation, trying as well as I could to make the messenger understand I wanted approval. He sent it down again, having written ten rupees, marked *paid*. I had a good mind to send them back again, but was unwilling to give offence or deprive the funds of even one rupee."

If the chapel was to be built, the money would have to come from Australia. Outside help was negligible. Even the appeals launched locally met with only a feeble response.[11] The people were poor, and had already given generously to the chapel. The time was also one of drought and impoverishment. John O'Sullivan gives an interesting picture of the period. "The Catholics are the poorest portion of our Australian community. There are not more than fifty immigrants amongst their number, and those are disappointed at the state of the country, which is now reduced to a state bordering on beggary. A bullock or a cow which would bring £10 or £12 four years ago can now be purchased for £1. Sheep which would have readily sold for £5 a head a short time ago have been sold this year at 5s. a head. Mr. Therry did not calculate on this great falling off when he commenced the church. The times were good then, and money was plentiful."

The chapel was now in such a condition, on account of the want of funds and workmen, that, to prevent serious loss, assistance must be given immediately. As Father Therry told the Governor, he had serious reason to apprehend "that unless His Excellency speedily afford it his patronage, and very efficient assistance on the part of Government, that building to which so much time, trouble, and industry had been devoted, and on which so much money had been expended, instead of being, as it had been intended to be, an ornament to the town and a source of spiritual and temporal blessings to many of its inhabitants, would, at no distant period, be in a state of dilapidation, and anything but an honor to the Government that would suffer it to fall into ruin."

Governor Macquarie had ordered him as much stone from the Government demesne as he should require. Sir Thomas Brisbane had confirmed the promise. But now the quarry had been given to private owners; he was forced to buy stone for St. Mary's, and have it carted from a great distance at an extra

[11] A ticket for the raffle of a gold watch is among the Therry papers. The watch is said to be of "inconsiderable" value; the ticket is priced at £1, and the number of tickets limited to 500.

expenditure of £500. He had on various occasions applied for carpenters; during six years he had received the services of one. "The walls of the chapel are ready for the roof," he writes, "and are exposed to the influences of the weather." The Governor, in reply, regretted that Government did not possess funds sufficient to redeem the promise made by Sir Thos. Brisbane; but sent his good wishes and a vague promise of help in the distant future.

November of the same year saw the chapel in worse straits. Father Therry had made himself personally responsible for £300, and had not a penny in hand. The hostility aroused by the "qualified" incident had not diminished. For years he had said Sunday Mass in the Castlereagh Street Court House—a favour granted by Government "until such time as Catholics should have a church of their own." He was now warned that he could no longer hold service in the building; he was no longer an accredited Government official, and had no right to offer Mass publicly. The door of the Court House was closed against him. Dean Kenny, who wrote whilst these events were fresh in the public mind, describes the incident.[12] Father Therry was unwilling to yield. He went to Mr. Wentworth, one of the most brilliant and level-headed men of the time, who had opposed the Governor on many historic occasions, and had suffered for his courage; he, Father Therry was sure, must sympathize with a priest who would not forsake his principles. "What will you do?" said Wentworth: "Why, take a crow-bar and break open the door, and if they take you to court send for me and I will defend you." So Mass continued to be said weekly in the Castlereagh Street Court House.

The number of Catholics in the colony had become much greater in the last few years, and claims upon Father Therry's time and resources were many. The education of the children was a problem only partially solved; there were schools, but they were few and understaffed. The difficulties that confronted him were tremendous, but he did not murmur. To quote Dean Kenny again:—

[12] Kenny, pp. 50-52.

In the midst of all this trouble Father Therry was ever cheerful, and his sorrows only tended to make him more zealous and laborious for the cause of God and good of his fellow man . . . . . Father Therry was widely respected by all classes, and highly esteemed. When travelling in the discharge of his sacred duties every door was open to him, and every assistance given to further the sacred ends he had in view. In disputes the decision of Father Therry was accepted, and oftentimes the matter was referred to him for arbitration. He had a kind word and shake of the hand for everyone.

The writer of a small pamphlet[13] published in 1834 gives an eloquent tribute to his worth:—

This is the man who has done so much for religion and who has been treated so unworthily. Zealous, laborious, and indefatigable, Mr. Therry's labours have produced their proper effect; while Sydney, aye, and New South Wales, continues an appendage to the Apostolic See (as I trust in God both ever shall), the eternal gratitude which the Catholic inhabitants of both owe to this excellent and indefatigable ecclesiastic cannot be forgotten . . . . . There is nothing of show or exhibition, nothing of vanity about him. Mr. Therry is not an occasional preacher, but the preacher of every Sunday and festival. The writer of this sketch has frequently known him to preach at Sydney and Parramatta on the same day. No severity of exertion, no fatigue or want of preparation, will induce him to forego or omit the performance of this sacred and important duty, and few there are who have not felt their obduracy to relent, their wavering minds to become fixed, and their virtuous resolutions to have received strength from the expressiveness of his appeals. There was an instance in the success with which an appeal of his was made some months ago in behalf of the Benevolent Institution of Sydney, at which a collection was made, amounting to 30 guineas, almost double that collected at a former sermon, and considerably more than was collected at any of the Protestant places of worship.

To the little children, nothing can exceed the attention of the Rev. Mr. Therry. During the administration of General Darling, he supported a male and female school mostly at his own expense, and his little friends in their turn do not forget him. It is pleasing to see the little girls and boys touch their caps and curtsey to him as "he goes about doing good." To

[13] "Berehaven" in the Manly Archives; cf. Cardinal Moran's *History*, pp. 100 sqq.

the poor he is most charitable and kind, often visiting and relieving them at their houses, soothing their distress and alleviating the sorrows of those who have few consolations at this side of the grave. At the public hospitals and other buildings, where his assistance is most required, he is a daily visitor. The constant attention which he has for years paid to the inmates of the General Hospital in Sydney is the subject of perpetual remark. It is not to the mansions of the rich I would go and make my enquiries into the character of this admirable man; no, I would go to the house of mourning and the habitation of distress; I would go to the public hospitals of the colony; I would ask the desolate and forlorn, the widow and the orphan, where they found friendship and charity. If ever there was a man whose bones well deserve, when he shall have run his course, to have a tomb of gratitude erected to him, it is the pastor, to whose virtues I have paid this humble tribute of inadequate applause.

Even then Father Therry was known as "the priest in his gig"—a phrase that was to become a Campbelltown idiom in later years.

In those days the population of the colony was very definitely graded. At the top were a few of high social rank. A fair number were in comfortable positions in the military forces, or engaged in business pursuits. The influx of free settlers,[14] which began to assume steady proportions after 1820, had helped to swell these ranks considerably. But the bulk of the population was still either convict or emancipated; and the heterogeneous mass required very careful handling. Among the lower classes Catholics were many, and there was only one priest to attend to their wants—which were not only spiritual. There was no one to further the claim of an unruly assigned servant. If he had the misfortune to be assigned to a tyrannical master, he had no redress; his employer merely thrashed him, and, if that had not the required effect, reported him to Government. No investigation could be called for; the road-gangs were ready to receive, with the same welcome and under the same conditions, both the unreformed criminal and the victim of injustice. In their difficulties the prisoners

[14] cf. Northcott"s *Australian Social Development,* c. ii.

wrote to Father Therry. They complained that they were not allowed to go to Mass; they asked his intercession to frustrate an unjust condemnation. His help was always forthcoming. Often he convinced the superior authorities of facts that completely upset the verdict of a county magistrate; often a man sent to Norfolk Island learned that through Father Therry's influence he had regained his freedom. More than once the hangman waited whilst Father Therry placed a prisoner's case before the Governor; and on some of these occasions he returned with the pardon in his hands. A writer in the *Centennial Magazine*[15] gives an interesting sketch of such an incident:—

At the back of the old gaol in George Street, which was the scene of many a terrible tragedy, the condemned man stood upon the scaffold awaiting his doom. Father Therry was convinced of the man's innocence, and extorted from the Sheriff a promise that the execution would be delayed a quarter of an hour, while he strove with the Governor for a reprieve. As fast as his feet could carry him he ran to Sir Thomas Brisbane. Meanwhile the time was expiring, and the gloomy group around the scaffold awaited in silent supense the issue of the errand of mercy. The Sheriff had good faith in Father Therry's power to obtain a reprieve, but the time was fast speeding on. At last, when the law was about to take its course, Father Therry was seen issuing from the gates of Government House, waving his hat and holding up the reprieve. The Governor thanked him; and so, too, will history, for having saved one innocent life.

The same writer speaks of the Father's long missionary journeys over rough bridle-tracks through ranges and forests to which had fled such convicts as had the good fortune to escape from road-gangs or gaol. "It is one of the traditions of these times that, when the bushrangers and escaped convicts, scouring the bush for their quarry, as was their wont, intercepted Father Therry on one of his missionary expeditions, so soon as his identity was discovered, they at once released him, with expressions of regret for intercepting his

[15] Vol. I. (1888-9), p. 112.

path." Convicts never forgot the men who were kind to them.

The gaol, overcrowded as it was with convicts, was one of his chief interests. Day or night he was ready to attend the call of the worst criminal. His figure, passing or stopping to say a word of encouragement at each cell, became part of the daily routine. He was with them in the factory, the exercise-yards, and the road-gangs. And they knew their man. Many a letter was passed surreptitiously, through the agency of a tradesman or an indulgent Catholic warder, to the hands of the Catholic chaplain. And these letters are—to our surprise—in great part from Protestant convicts, asking for some favour from one whom they do not scruple to call their dear friend—and speaking eloquently for Father Therry's worth and work. They breathe forth an atmosphere of trust and an appreciation of the goodness and kindness of the man who gave his whole heart to their welfare. Several of these letters are printed in the Appendix. One we give here in facsimile; but the blood-smeared paper and the scrawl as of a twig dipped in ink cannot be properly reproduced. The transcription follows:—

Sydney Goal December 15 1826

Reverend

Sir Wee Poor unfortunate Men under the Sentence of death is verry Anxous For you I hope Sir When You Reseive this that you Will For God Sake Not Delay Wee do not now the Hour nor the Moment our Death Warrants may come Revd. Sir I Saml Chipp that is under Sentance of death Conserning the Murder of the Black Native I Earnestly Wish that your Reverence Will make No Delay For I am Resolved to Embrace the Roman C Faith As Soon as you Come to Me. Sir Wee hope that you *Will* not delay.

Saml. Chipp.
Jas. Murphy.
John Higgans.

Of letters from the gaol warders this is a specimen:—

Revd. Sir: I respectfully beg leave to acquaint you that Joseph Lockett is ordered for execution on Monday next. He is a Protestant but wishes to die a Catholic. yours obt. servant, John Toole.

Sydney Goal December 15
1826

Reverand

Sir We Poor Unfortunate
Men Under the Sentance
of death is Verry Anxious
For your Shape Sir When
Your Reseave this that you
Will For God Sake Not
Delay We do not know the
Hour nor the Moment our
Death Warrant May Come
Rev.d Sir I Sam.e Chipp that
is Under Sentance of death Convict
the Murder of the Black Native
I Earnestly Wish that your
Reverence Will Make No
Delay For I am Resolved to
Imbrace the Roman Faith
As Soon As you Come To Me

Sir We Hope that you
Will not delay

Sam.e Chipp
Jas Murphy
John Higgins

LETTER FROM THREE PRISONERS UNDER SENTENCE OF DEATH

To His Excellency

MAJOR-GENERAL RICHARD BOURKE,

Governor, and Commander in Chief,

&c. &c. &c.

THE HUMBLE PETITION of Andrew Fanacy or Fanning or Michael Dooley
by the Ship Sophia — Year 1829
a Prisoner for Life
Dated, 20 January 1833

SHEWETH,

THAT your Petitioner is desirous of being re-united to the Family from which he was separated at the Time of his Transportation, and particulars of which are stated on the other side.

That Testimonials are subjoined of his Ability to Support his said Family, and of his having endeavoured, by good Conduct, to merit this Indulgence.

That he humbly prays, therefore, that Your Excellency will be pleased to transmit to the Right Honorable the SECRETARY of STATE, a Recommendation that your Petitioner's said Family may be sent to this Colony at the Expence of the Government.

And your Petitioner will ever pray.

I certify that the Petitioner above-named has been in my Service since the Month of January — 1829, ~~1831~~, and that during that Time his Conduct has been such, that I respectfully recommend his Petition to the favorable Consideration of His Excellency the GOVERNOR.

I am also satisfied that he is both able and willing to maintain is Family.
Petitioner has been on the same farm since his arrival in the Colony, but in my service only since Dec. 1831 — his general conduct very good.
Petitioner's Employer.
A Gibson - -

We severally certify that we are not acquainted with any Circumstance that should induce us to withhold our Signatures from this Petition, and we therefore respectfully recommend the same.

First Clergyman or Magistrate.

John Joseph Therry
Second Clergyman ~~or Magistrate.~~

N. B.—This Petition must be submitted through the Principal Superintendent of Convicts.

APPLICATION OF A CONVICT TO HAVE HIS FAMILY BROUGHT OUT

Petitioner's *Standing No.* 29/226

Name, Andrew Fanney or Fanning

Ship, Hoffnia

Year, 1829

Sentence, Life

Wife's *Maiden Name,* Margaret Conlon

Present Residence, viz. Ryf Hill

County, Louth

~~*Town or*~~ *Parish,* of Port & Barony

Street, Rathcrd

Children, viz. :—

NAMES.	AGES.
Ann Fanning	Fourteen years
James Fanning	Ten Years
Margaret Fanning	Five years

Respectable Persons, to whom Petitioner's Family are known, viz. :—

NAMES.	RESIDENCES.
Revd Andw Rogers	Parish of Port County Louth
Sir Patk Bellew Bt	& Barmeath do
Mr Patk Harman	" Clonmore do
Mr Nichs Carson	" Port " do
Revd Mr Lindsey, P. Minister	" Port " do

Printed by R. Mansfield, for the Executors of R. Howe.

With a change of names, this may stand for practically all the warders' letters. Often a prisoner could not write, or perhaps was a Protestant and ignorant of the correct terms in which to address a priest. He would seek out some comrade in distress, who would convey his message to Father Therry:—

To the revernd Mr. terry. Sir there one of the young men in the sells sadley troubled and wishes to see you very perticler for he bursted in teers last night and cryed out for your assistence so that i hope you will come to his assistence.

JOHN WALL.

The sells—Sydney Gaol.

It was only to be expected that a priest who visited the gaols regularly, and who was ever ready to give his utmost in their behalf, should be the one to whom they turned in their troubles.

Mention has already been made of difficulties imposed upon assigned servants by a hard-hearted master. Even their freedom to marry depended upon the will of their employer. This unjust but general practice is exemplified in a letter from an assigned servant to Father Therry, informing him that "Mr. Wills of George Street will not sanction my marriage in consequence of my being a useful man to him, a blacksmith by trade." He asks Father Therry to have him assigned elsewhere, and hopes that "there will be no obstacle on account of my being brought up in the Church of England to turn to the Catholic faith."

It had frequently been a futile task for him to call attention to Catholic grievances. Now, when he was suspended from Government recognition, he had no hope of success. The marriage regulations, imposing as they did the necessity of making application for permission to unite parties in matrimony, became more difficult to observe. In a subsequent letter[16] he complains that lists of the names of parties have remained unanswered in the Government offices for more than two months, and that "the personal inconveniences which have resulted from this delay altho numerous and great

[16] See Appendix A, No. 14.

are not so much to be regretted as the immorality and crimes which have been the consequences of it."

To all these applications and reasonings Government returned the same answer. The Governor regretted that Father Therry, being no longer a Government chaplain, was not empowered to speak for the Catholic people, and was consequently not entitled to an answer. The new Catholic Chaplain had been appointed, and on his arrival the matters complained of would be investigated.

The new official Chaplain was already on his way to Australia.

CHAPTER VIII.

O God! that men would see a little clearer,
Or judge less harshly when they cannot see!
—THOMAS BRACKEN.

THE letter addressed by Governor Brisbane to Earl Bathurst, complaining of the impoverished state of the Catholic religion in New South Wales, did not wait long for an answer. On the 20th of June, 1825, the following letter was despatched from Downing Street:—[1]

SIR,

I have received your Dispatch, No. 10 of the 28th October last, respecting the state of ignorance to which the Roman Catholic Population of New South Wales have been reduced from the want of Spiritual Instruction, and of the proper place in which Divine Worship can be performed according to the rites of the Roman Catholic church. In consequence of your representations, application will be made to Dr. Poynter, the Vicar Apostolic, and it will be left to him to select two Clergymen duly qualified for the purpose of dispensing proper religious instruction amongst the Roman Catholic Residents in the Colony. I cannot however but regret that you should have allowed a Building to have been commenced, so disproportionate to the Class of Communicants, as the Roman Catholic Chapel now erected at Sydney appears to be; more especially as it would have been so easy for the Government to have interfered in consequence of its having advanced a Sum in aid of its construction and of its being liable to be called upon for still further assistance before the Building could possibly be completed. Although it will be impossible for me to sanction the advance of the Funds, which you state will be required for the completion of the Chapel upon the original plan, I have no objection to authorise such assistance being afforded by the Local Government, as may admit of Divine Worship being performed in it; but every other expence, connected with the ornamental part of the building or its internal accommodations, must be left to the Inhabitants themselves to complete by voluntary Subscriptions.

I have, &c.,

BATHURST.

[1] *Historical Records of Australia*, xi., 670.

Two missionaries were duly selected, Father Roger Murphy and Father Daniel Power; but for some yet undiscovered reason[2] Father Murphy was prevented from sailing. Father Power—as we learn from a letter of Father Therry's—reached Sydney on 25 December, 1826, and the official notification of his appointment was gazetted on the 3rd of the following January:—

His Excellency the Governor is pleased to notify that the Rev. Daniel Power has been appointed Roman Catholic Clergyman of this colony, in the room of the Rev. John Joseph Therry.

The character of Father Power is difficult to understand. Little is known of his early life, but some information concerning his home and relatives is given in a letter written by his brother from Grenane soon after Father Power's arrival in Australia.

I take the opportunity of writeing these few lines to you, as you did not think worth while to write to us, or to your Father, as if you were a person that had no means, or had neither pen, ink nor paper, what is plenty with the loest rank of peoples in that colony, who dayly write home to their friends . . . . . My Father is in the same state of health as he was when you saw him; he is up as early every morning at his window praying, as ever he was, but he does not ride to Mass now as he used. We have the second term of the farm, for thirty one years, for the same rent and with the help of God if we had a little assistance we would do well. The master is giving us a good fairplay. Pierce and I are doing our endeavours to forward everything, so is Ellen . . . . Pierce begs of you send for him if you could get a situation for him, for he thinks he has acquired a good dale of sence. Richard and family has his farm for the same rent; William and Jeffery and Biddy are well . . . . .

His faculties, dated 17 June, 1826, were granted by the

[2] Cardinal Moran (*History*, p. 122) says "He does not appear to have received the necessary permission from his Bishop." But in the letter quoted immediately afterwards Father Murphy says "Let those who opposed me answer for it"—which, written by one priest to another, could hardly apply to the action of a Bishop.

Vicar-Apostolic of London on the condition that, immediately upon his arrival in New South Wales, he should ask the Bishop of the Mauritius to grant him approbation and jurisdiction.

Father Daniel Power was in ill-health at the time of his arrival; his constitution was not fitted for the great exertions required of a missionary in Australia. He died four years later. He was burdened with a weak character that attempted to pacify Government rather than fight for justice and against positive persecution. The arrival of such a priest was welcome to Governor Darling. Had there come another man of Father Therry's capabilities and uncomfortable habit of seeing out disputes to the bitter end, he would have shared the same fate as the priest whom he superseded. The writer of the pamphlet already mentioned[3] says:—

> General Darling and other enemies of the Catholic religion, urged that poor man to do things which in other circumstances he would never have thought of doing. Their object was to endeavour to weaken the influence which they well knew Mr. Therry possessed, not only with the Catholics, but with the liberal portion of the Protestant community.

Darling in a "Private" despatch to the Colonial Office explained that he proposed to favour Father Power to some extent, because it was

> desirable to attach him to the Government, and prevent, if possible, Mr. Therry prejudicing him and rendering him an Instrument of annoyance, as he had proved himself.[4]

Father Power came to New South Wales at an awkward moment; his position demanded the utmost care and moderation in his first actions. He was superseding a priest who had shown himself defiant of Government opposition, and had thereby incurred its displeasure and provoked his own suspension; a priest who was the only pastor the people had ever known, who had fought their battles, who had won their

[3] "Berehaven"; see p. 99.

[4] *Historical Records of Australia*, xiii., 567.

affection in every way, whom they would never disown. Father Power, on the other hand, was, to their minds, the representative of a Government that had harassed the Catholics, even to the extent of injuring their beloved priest. His way was dangerous with many pitfalls, and he was not the man to walk warily.

He was, as has been said, sickly and incapable of much labour; and in this connection, too, comparisons were made with Father Therry. To one looking back, however, over the few short years of his labours it is astounding to see how much practical and lasting good he effected. He died in the love of the people.

He was unfamiliar with the English language. His reply to many urgent requests from the Colonial Secretary for returns of marriages and deaths was that it would be difficult for him to obey, as he had written them in a language not understood by Government. And the many extant letters and sermons written by him in the Irish language and characters prove that he was as conversant with that language as he was deficient in English. So the fiery, practical language of Father Therry's sermons gave place to deliverances in a heavy, slipshod style, over-decorated by unusual and misapplied adjectives. Some of his sermons written in the unfamiliar English tongue give a good indication of the man, superficial, but sincere:—

If you could see visibly with your eyes—but if you look on this matter with the eye of faith your vision will be more certain. for the infallible eye of faith cannot be clouded by error or any optical delusion—if, I say, you could visibly see the wastings and languors of a soul confined in the darksome tomb of the body, oftentimes left by our spiritual brethren, and burning in the flame of perpetual thirst, ever since it received its first infantile suckling from the baptismal fountain, and if in infancy or in youth it tasted of this celestial food and departed to subsequent famine . . . . . .

After this fashion he wrote and preached to people used to hearing a straight denunciation of their misdeeds, or practical advice how to avoid sin in the future, delivered briefly

and without loss of time—for the discourse must almost at once be repeated at a church twenty miles away.

He was of a sarcastic turn of mind. Whether the estrangement of the people was responsible for this failing, or whether it was a characteristic of long standing, cannot be decided. His letters to the Governor and others are long, tedious documents, permeated with sarcasm, and of a character totally different from the trenchant appeals and justifications addressed by Father Therry to amazed and indignant officials. Here, for instance, is a letter addressed to the Editor of the *Gazette*, complaining of something that had been written about him:—

SIR,

I thought the little pickpocket in George Street, had before this time, slunk with shame into some ignominious corner and coiled himself in the slough of his factitious debasement, until I read the last "Australian" in which I traced him characterised in the slime of asterisks, by falsehood attempting to confirm his former perjurous protest that he had not feloniously entered the Chapel House, and knowingly taken a transcript of a letter addressed to the Revd. Mr. Power.

In this strain for four long pages he abused a man to whom Father Therry would probably have given first some homely advice, and then, probably, employment on his farm to keep him from greater mischief. And this is his conclusion:—

Now Brother Chipp, take a friend's advice, now that you have received your liberty, keep that deposit. In attempting to make yourself appear big with importance like the frog in the fable, you might be crushed by a mighty huff.[5]

This faculty for saying commonplace things in a hurtful manner soon led to misunderstandings. In a letter addressed to the Benevolent Society Father Power mentions two items of interest. The Benevolent Society appealed annually for funds by means of charity sermons in every church. Father Therry had always complied with their wishes. In 1827 Father

[5] See also Appendix A, No. 20.

Power, as the recognized Chaplain, was invited to assist. His reply was that he could not preach at Sydney, because Father Therry had the privilege of ministering to the Sydney Catholics in the old Castlereagh Street Court House; and he would not preach in Parramatta, where he officiated, because the Benevolent Society did not assist Catholic charities. In a postscript he suggested that the broadminded courtesy in vogue between Father Therry and the Benevolent Society might be exercised in another way:—

I beg leave to request whether it be consonant with the discipline of your church, to permit Rev. Mr. Therry to preach sermons in your churches in aid of the chapel, for the erection of which we need sufficient means.

Two men so widely differing in manners and position could not fail to fall foul of one another. One was the idol of the people's affections, raised higher in their esteem because of his suspension; the other a priest who did not thoroughly understand them, a new-comer enjoying the fruits of his predecessor's labours. The opposition to Father Power was sometimes very marked. He had told the people of Goulburn that the Christmas dues were to be paid to him, as the recognized Chaplain; they forwarded the dues to Father Therry, asking him to do as he liked with them. The result was an agreement by which Father Power, in addition to his salary and a further grant of £100 per annum, shared the dues—giving Father Therry the greater portion, so that he should be less dependent on the people's charity.

Father Therry continued to celebrate Mass at the Court House until the Governor asked Father Power to carry out his duties as Chaplain in Sydney. Then Father Therry took over Parramatta and the neighbouring districts. Although intercourse between the priests grew more strained and affected, the work of the mission seems not to have suffered. Both men continued their labours, usually independent of one another, but sometimes coming into collision.

That old trouble, the compelling of Catholic convicts to

go to Protestant services, was still a matter for grave concern. From Emu Plains a convict wrote to Father Power that the district was full of the lowest forms of immorality. He complained that he "is secluded from his clergy and is compelled to attend the preaching of the Rev. Mr. Fulton every Sunday. If one makes any observations against going, he is brought into court and there flogged." It was useless to protest to the authorities; each employer was his own authority, and usually pleased himself in dictating their religion to his servants.

It is interesting to see the influence that Father Therry retained with the Government, although he was no longer a recognized official. There is no break in the multiplicity and pointedness of the letters with which during these years he inundated the public offices. He complains of the new development in the Orphan-School system, by which pupils are not only denied the rights of religion whilst inmates, but are considered to have made themselves Protestants for all time. The Government replies that his letter has been received, and regrets that it cannot recognize his complaint, since he has no authority to speak. But—because the authorities knew that his influence had suffered no diminution among Catholics, and among many Protestants also—his letter is forwarded to Father Power for a report on the matter. In building the chapel, the same procedure is adopted. Father Therry is not satisfied with the slow methods of his fellow-priest; he asks the Government to redeem the promise made by Earl Bathurst, and to render the chapel fit for Divine Service. The authorities, as before, ask him not to persist in writing about matters over which he, as a private citizen, has no authority; nevertheless, the letter is forwarded to Father Power for report and a plan of the chapel. And Father Power, although resenting the interference, is unconsciously made the instrument for executing the suspended missionary's plans.

The Government had at last been forced by public opinion and necessity to undertake work on the chapel. Early in

March the following advertisement appeared in the *Sydney Gazette*:—

Persons willing to complete the covering of the roof, build four piers, and lay the flooring of the Catholic Chapel, Hyde Park, are requested to transmit their tenders for the same to the office of the Chief Secretary, by 12 o'clock on Thursday, June 28 instant, endorsed "Tender for roof and flooring, Catholic Church." Payment will be made monthly to the extent of 75 per cent. of the value of the work actually performed upon the certificate of the Colonial Architect, at whose office a plan and specification of the work may be seen.

On the 14th Captain Dumaresq, the civil engineer, wrote to Father Power:—

Reference being made to this office for particulars connected with the roofing of the chapel as advertised in the "Sydney Gazette," I shall feel obliged if you will furnish me with such plans connected with this building as may be in your possession, with the view to determine how far it may be expedient to act upon the original plan, or in what respects it will become necessary to deviate therefrom, in directing the contracting parties for this work.

And Father Power replied that he did not possess any plans, nor did he think that any definite plan had ever been adopted; Mr. Henry Cooper, however, had given directions for the plan of the roofing. He offered Dumaresq plans of churches he had seen abroad, in which cupolas and rows of pillars were the main features; and assured him that, if the Government would complete the chapel, the congregation would supply the furnishings and ornamentations.

The result of the Government's spasmodic efforts was described by Darling in a despatch of 13 August, 1827[6]:—

. . . . Tenders were in consequence called for, and those received appearing most unreasonable, £5,800 having been demanded, I have felt it necessary to decline authorizing the undertaking. It appears the Roman Catholics themselves very properly attribute the present unfinished state of the Building

[6] *Historical Records of Australia*, xiii., 503. The "Public School House" mentioned is, of course, the "Castlereagh Street Court House," which had ceased to be a Court House on 31 July of that year.

to Mr. Therry, the late Chaplain, whose ostentatious design has been the cause of its not being completed. I have seen Mr. Power, the present chaplain, who appears satisfied with the reasons I have assigned for the Government declining to complete the Chapel; and I am happy to say that, as a means of removing in some degree the inconvenience to which the Catholics would be exposed from the want of a suitable place in Sydney for the performance of Divine Worship, the Archdeacon has been so good as to allow them to make use of part of one of the public School Houses, until their Chapel shall be in a state to afford the accommodation required. Mr. Therry, who still continues here and who is extremely intemperate and offensive on all occasions, is, I understand, endeavouring to raise a subscription for the purpose of completing the Chapel, but I should doubt the possibility of his obtaining the necessary funds. I should have stated that he proposed undertaking the work himself on a reduced scale of £1,200 or £1,500 below the Tenders, which had been received. But, as I was satisfied this was merely to induce the Government to embark in the undertaking in the hope that having gone a certain length it would ultimately defray the whole Expense, I declined acceding to his proposal. . . .

On the 29th of May Father Power received notification of the Governor's pleasure in adding £100 per annum to the stipend allotted to him by the Home authorities. It was small enough, and hardly sufficient for current expenses. Although Father Therry still continued to do the greater part of the work, the duties that devolved on the official chaplain were more than a man so weakened by sickness could satisfactorily fulfil. But Father Therry was ever at his post. Another extract from his diary gives us an idea of his work at this time:—

> Sunday, 24th June—Mass at Penitentiary and preached; Mass at Court House and preached.
> Monday, 25th June—Sydney, Mass and visited the gaol. Parramatta, visited woman since dead.
> Tuesday, 26th June—Parramatta to Windsor, Mass at Mr. Garrigan's.
> Wednesday, 27th June—Windsor, Mr. Fitzgerald, to Emu Plains.
> Thursday, 28th June—Emu Plains, said prayers for the gang, promised once a month; South Creek and Parramatta.

Friday, 29th June—Parramatta to Sydney. Mass *pro omnibus.*

This work must have been embittered by the disabilities and hindrances placed upon his energetic labours. He was working in defiance of Government, and could not expect unsolicited favours, or even justice; he had long recognized the futility of asking that justice should be done to himself, and now demanded it only for his flock. He contended that a person at the moment of death should be granted a favour, even if the favour asked were himself. He argued also that, because he was a validly ordained priest, he had the power to administer validly the sacrament of marriage. The Governor, not having yet received Goderich's despatch,[7] thought otherwise. Father Therry had united in marriage two people who were the servants of James Bradley. On 5 July the Colonial Secretary wrote to Bradley demanding the name of the officiating clergyman. His reply was:—"I have the honor to state that the Revd. J. J. Therry performed the ceremony on the 2nd instant in my presence." On 16 August this letter was forwarded to Father Power, with the following memorandum:—

Revd. Sir,

In transmitting to you the accompanying permission of the Governor for publishing of Banns between the several persons named in your application, I am directed by His Excellency to point out that Daniel O'Brien and Catherine Hennessy are the Parties respecting whom I had the honor of addressing you on the 6th Ultimo as having been married by the Rev. J. J. Therry, and to observe that, as that Marriage was not legal, it is proper that they should be Married again.

The Government's refusal to recognize any marriages celebrated by Father Therry is possibly excusable, if we admit the justice of his suspension as a public official. But it was not wise, because the one recognized Chaplain could not attend to all marriages and missionary work. It was intended to force Father Therry to retire from the country. But he un-

[7] See p. 91.

derstood the tactics of Government, remained, and continued to fight for justice.

The most serious limitation of his rights was the refusal to allow him to visit the sick and dying in gaols and hospitals. This order had been issued in general terms by the Government, and would have been capable of a benign interpretation and urgent exceptions, but for the bigoted opposition of the Superintendent of the Sydney Hospital. Dr. Bowman, though one of the most prominent men in the history of this institution, had no regard for Catholics in general, and a particular hatred against Father Therry. The attention given to the hospital by Father Power was, his fellow-priest thought, not sufficient; his health and the multitude of his other public duties did not enable him to render adequate service. Further, on many occasions a person dying in the hospital would call for the priest who had been a firm friend, possibly his only friend, for so many years; yet when the friend sought admittance he would be turned away. Early writers record many instances of Father Therry's perseverance and ingenuity in obtaining entrance to the hospital. He had been called to a dying person, only to find the bayonet of a guard blocking his way. He pushed aside the bayonet and entered. On another occasion he asked the guard if he were willing to take the death of the person on his own shoulders: "It is not in the name of the Government I come here, but in the name of God." The guard lowered his bayonet, and Father Therry passed on. On a third occasion the guard blocked his way as usual; he sent the soldier to bring the assistant-surgeon to him, and in his absence entered and administered the last sacraments—receiving from the guard on his return the answer that he was to be refused admission.

Such dangerous intolerance could not be allowed to continue without protest. He wrote to the Governor frequently, at first begging, in the name of God, to be allowed to retain the right of preparing a soul for its eternal destiny; later, he heaped anathemas upon a Government that had proved itself

so unchristian as to deny this greatest of all religious rights:—

Sir,

Although I received as great a personal insult as any civilised man can be supposed capable of offering to another, whilst I was endeavouring to discharge my duty as a Catholic Priest in one of the public hospitals, by administering the rites and consolations of religion to a poor man nearly in his last agony, but perfectly in possession of his mental faculties; and although, that insult has been followed up, on the part of the person that had offered it, by secret, and in my opinion wilful and deliberate misrepresentation, yet I am reluctant to trouble you Sir, with any complaint or application for satisfaction or redress. I shall feel fully justified if His Excellency be pleased to approve of the opinions which I now take the liberty to submit:—

1st. That it is the duty of the Superintendent, or of the wardsmen, or nurses, in each of the Government Hospitals, on learning from the Surgeon that any person therein is in proximate danger of death, to enquire if he want the assistance of a Clergyman; and, if he do, to send for him without any unnecessary delay.

2ndly. That if any person whose disease may become suddenly and imminently dangerous, even at night, should beg for the assistance of a Clergyman, that it is the duty of the wardsmen immediately to acquaint the Superintendent, and of the latter promptly to dispatch a messenger for one.

3rdly. That the Clergyman on his arrival may reasonably require that the bed of the patient to whom he is called, may be removed to a short distance from the other patients, in order that he may with more security and confidence consult with and receive advice from his Spiritual director, and that the latter may not be under the necessity of applying his ear to the mouth of the dying man.

4thly. That common decency requires there should be a screen in each ward, which might be formed of a few battens and a piece of coarse canvas, and which might occasionally serve to form a sort of inclosure for the Clergyman and his penitent.

5thly. That it would be highly indecorous for any person, however elevated he may consider his situation to be, to obstruct an inoffending Clergyman in the performance of his already sufficiently unpleasant duties, at any of the Hospitals, at whatever hour of the day or night, he may be called thereto;

but more especially to insult, menace and assault him, without the shadow of reason or provocation.

These suggestions were surely reasonable, and only what common decency required. Again:—

Chapel House, Hyde Park,
22nd January, 1828.

Sir,

On my return from a visit which I had to pay a sick person at a late hour last night, I learned that a messenger had been here to request the Rev. Mr. Power's or my attendance on a person in danger of death in the General Hospital, who was most anxious to see either of us; and as I did not know whether the danger was imminent or not, I felt it to be my duty to immediately proceed thereto in order to make the inquiry; and there it was again signified to me, that the orders which Dr. Bowman had given to exclude me from the hospital were not withdrawn, and of course I could not expect to be admitted then or at any other hour. If Dr. Bowman cherishes a vindictive feeling towards me, he surely should not be permitted to indulge it at the expense of the patients in the King's Hospital.

Dr. Bowman cannot assert that it is because I am no longer a Government chaplain, I am not allowed to attend my Catholic parishioners when on the voyage to eternity, for he attempted to exclude me when I acted as such. The following circumstances are so relevant, that I will take the liberty briefly to mention them here. About eighteen months ago, a constable came from the hospital on a Sunday night whilst I was celebrating evening service, and told me the moment it was over, that a poor man who was exceedingly ill in the hospital, and not likely to survive till the following morning, most anxiously wished for the benefits of the Sacraments before his departure. I proceeded to it forthwith; and as it was then rather late, and I was aware that Dr. Bowman had given orders to the servants never to admit me after sunset, to prevent any blame being attached to the latter for admitting me, I personally waited on that gentleman to solicit permission to attend the dying man. He said he was not aware that any one of the patients was dangerously ill, and that he would accompany me to the ward in order to ascertain, and, having seen the man, he pronounced him to be in a dying state. I then requested him to order the bed of a patient, who lay very near the person whom I had come to attend, to be removed

to a little distance, in order to enable me to hear his private confession. He replied, "There is no occasion, as that man is deaf." I then asked the deaf man his name in rather an undertone, and, on his immediately answering me, I told the Doctor he could hear as well as himself, and entreated him to order his bed to be removed to a short distance. He still refused, and said that my penitent was insensible. I assured him that the contrary was the fact, and the poor man proved my assertion to be correct. He had then the politeness to ask me if I were sober, and I replied that if a scrutiny were to take place as to the moral character of each, that mine would not suffer by the comparison, and added, that I had hundreds of witnesses who had attended Divine service on that evening, as well as the two persons (one of them a free settler of untainted reputation, the other a strictly honest man), who accompanied me from the chapel to the hospital, to rebut his insinuations. He then told me to quit the hospital, and I refused to do so till my duty should have been performed. He then called in two constables, and said to them, "Put him out!" "Put him out!" They, however, had the decency and good sense not to make a breach of that peace which our Lord insures to the humble as well as to the great, to the feeble as well as to the mighty, and of which they were subordinate conservators; and in spite of his annoyance, I heard the confession and administered the rites of religion to the poor man; and he expired a few hours after.

The Lord Chief Justice, or His Majesty's Premier, or His Majesty himself, would shrink from the idea of excluding the greatest criminal at the hour of his death from access to his clergyman. And yet, Dr. Bowman, relying on the influence he thinks he derives from the considerable fortune he has realised, and the respectable connections he has formed, will, without any fear of responsibility, doom persons charged with no crime except that for which they have atoned to the laws of their country, by the loss of their liberty, to a privation of so cruel a nature, that those laws will not permit even a murderer to be subjected to it.

I have the honor to be, Sir,
Your obedient humble servant,
JOHN JOSEPH THERRY.

To the Hon. Alexander McLeay,
Colonial Secretary.

The next day he was forced to complain again:—

It becomes my duty to have the honour to inform you that another person died last night, at His Majesty's General Hospital, without the benefit of the Holy Viaticum, which he frequently within the last few days most earnestly craved to be allowed to receive from my hands. This most afflicting grievance, and most cruel and unnecessary privation, has been the consequence, I am informed, of an order given to the porter of the hospital by Dr. Bowman, not to admit me into it at any hour even in the absence of my brother clergyman. If a professed infidel were to give such an order, it might not surprise or astonish, but that a gentleman who professes to be a Christian should give it, is to me—at least it would be to a stranger in the colony—most unaccountable. To Dr. Mitchell, the Assistant Surgeon, a gentleman who is exceedingly attentive to his professional duties, and who is under a sort of necessity of acting according to the directions of his principal, no blame whatever is to be attached. His late Royal Highness the Duke of York, as His Excellency must be aware, would have severely reprimanded, if not cashiered a field officer for such an act. And, is it to be supposed that His Majesty or his Government, or the British, and, thank Heaven, a Christian Parliament, when this conduct shall have been regularly submitted to their consideration, can approve of it, or permit of its recurrence with impunity? I am not ignorant of the danger I incur by exposing this abuse of authority on the part of Dr. Bowman, even to the Government, for I have reason to know that his hostility is seldom without effect. Whatever may be the opinions of persons much better qualified than I am to judge of his aptitude for the several situations he holds, I would, abstractedly from my duty of vindicating the cause of the oppressed, feel a pleasure in serving, and none whatever in injuring him. I trust, therefore, sir, you will do me the justice to believe that in thus addressing the local Government, I am not actuated by vindictive or any other improper motives.

The Government's reply was, not to remedy the injustice he complained of, but to assure him that his exertions were futile:—

Rev. Sir,

I have had the honor to receive and submit to the Governor your two letters of the 22nd, and 23rd, of this

month, and am directed by His Excellency to inform you that the Government cannot permit of your interfering in any way with the public establishments. I am also directed to add that, as the Rev. Mr. Power is the only acknowledged Roman Catholic clergyman in this colony, the Government must decline receiving representations from you.

I have the honour to be, Rev. Sir,
Your most obedient servant,
Alex. McLeay.

This rebuff was enough to dishearten any ordinary man. But Father Therry had been used to such trials for eight years; he would not act as the Government wished; he would not resign. Some years later it was conceded that any patient who asked for Father Therry personally might be allowed to see him. Meanwhile, he had still to put forward the claims of his people for liberty of conscience at the hour of death. In the last month of 1828 he wrote:—

To deny to a dying Christian an opportunity of receiving the sacred rites and consolations of religion is not to be considered as a matter of little moment, yet it has been done more than once in His Majesty's General Hospital. Dr. Bowman, the principal surgeon, of whose unkind interference I have had frequent occasion to complain, has again, I am informed, directed that I should not be admitted into the General Hospital, and I have accordingly been again excluded from it. One Catholic has departed this life in the General Hospital since this very inconsiderate order was given, and many more will have to contend with the tremendous terrors of the last awful hour without being fortified against them by those soothing consolations which religion alone can impart.

Again, on 11 March, 1829, he wrote:—

It is painful to me to have to inform you that in consequence of a private Government order by which I am excluded from the hospitals, another unfortunate man was last week doomed to depart this life without the consolations of religion.

In these skirmishes with the authorities he did not receive any assistance from the recognized Chaplain. The differences between the two priests seem to have developed into more serious antagonism. Father Therry's energetic and impetuous nature could not countenance the easy-going methods of

Father Power. His own enjoyment of good health prevented him from taking account of the obstacle which the Chaplain's weakly constitution opposed to his greatest desires. Father Power, too, knew what Father Therry thought of him. He knew that he did not possess the affection of the people in the same measure as Father Therry, whose unflinching patience under continuous persecution made him the popular idol. The estrangement eventually led to a correspondence, interesting and pathetic when the two sides of the matter are understood, between Father Therry and the Government on the one hand, and Father Power and the Government on the other. Father Power had postponed a sick call—for just cause, as his explanations show. Father Therry reported the case. Father Power's justification gives a true picture of the man, misunderstood, incapable of understanding, broken-hearted by sorrow, and fast approaching the time of his death. On 11 August, 1829, the Colonial Secretary wrote to Father Power:—

Reverend Sir,

In transmitting you herewith a copy of a letter from the Rev. J. J. Therry, representing that from his exclusion from the gaols, the Factory and the Hospital, an unfortunate Catholic has been denied the rites of his religion, I am directed by His Excellency to request that you will let me know what individual is here alluded to, and what were the circumstances of the case.

The enclosed letter reads as follows:—

Parramatta, 7th July, 1829.

Sir,

Having this moment learned that another victim had been recently added to the number of those unfortunate Catholics, who have been illegally denied the rites of their religion, in consequence of a regulation made by His Excellency, Governor Darling, to exclude me from the Gaols, the Factory and Hospitals, I feel myself imperatively called upon to bring this matter once more under the notice of the Governor, at the risk of renewed persecution, but, still with the hope that His Excellency's humanity, of which I am convinced he is not destitute, may induce him to rescind it. I firmly believe that His

Excellency did not even partially foresee the many fatal evils that have resulted from this regulation, when he ordered it to be made. I derive neither pleasure nor advantage from opposing or condemning any measure the Government may be pleased to adopt; on the contrary, I assure you Sir, that I should feel happy to be enabled with a safe conscience invariably to support its measures and abide by its regulations.

I have &c.,

John Joseph Therry.

Fortunately Father Power's explanation is preserved. We should hesitate to reproduce it, if the reader had not already become familiar with this priest's character, so as to be capable of understanding what might appear a spiteful pettiness, and of pardoning the whims of a man broken in spirit and in health. Father Therry's impulsive nature is also shown in an exhibition of temper which he regretted later.

D. Power, near the Buffs Hospital.

Sir,

I have the honor to receive your letter dated the 11th. Inst. intimating His Excellency's desire to know the circumstances of the statement gratuitously asserted by Revd. Mr. Therry in a letter of which a copy was given on the contra page.

The two cases to which he makes allusion can be disproved by Doctor Anderson—with whom I had a conversation on those occasions—and also by his overseer whom at the time interrogated on the matter. On the evening that I received a letter from the Hospital—intimating the dangerous state in which the patient was—I arranged for the morning, and accordingly arrived in the morning at 9 o.c.—when I was informed he had departed this life—two hours after the letter was written—contrary to their expectations, in consequence of a sudden change in his illness. As to the second case Dr. Anderson and Mrs. Gordon can give a similar explanation. And likewise respecting the gaol—his services there must in future be dispensed with, in consequence of an assault committed by him on me at the last execution which he attended—and for which he now lies under censures and suspension—"*percussio clerici*"—"*suspensio ipso facto.*" His insidious indirect projects to undermine me are as powerless as they are false, and must terminate in a defeat. He has rallied round him the *Australian* and *Monitor,* and now finding himself fettered in the shackles

of ecclesiastical censures he cries out and attempts by malevolent insinuations of neglect of duty on my part to mitigate the merited disapprobation of the Government—And this precisely at the institution in which he had become disqualified by an act of agression—and sacraligously officiating contrary to the canonical mandates of the Tribunals of the church.[8] It is very extraordinary that his letter was written on the day of the execution on which occasion he committed the assault. That he was in a perturbed state of mind is evident from the expression of it. As soon as I will return from Newcastle I am determined to lay before the Judges depositions sworn to that effect, so that when he makes invidious applications within the courts—for Mr. Therry's attendance (which they avow to have been done in opposition to Government) the judges will have it in their power to refuse the malicious request—and assign the reason that he on the last occasion disqualified himself by a breach of the peace in that gaol.

If there had been in the colony any other priest to whom Father Power could have gone for advice, it would probably have been explained to him that Father Therry had not incurred excommunication, since the necessary condition—*"suadente diabolo"*—was wanting. At Father Power's death (soon after this episode), all his correspondence came into Father Therry's hands. It was then that he learned for the first time of Father Power's violent rejoinder, and the unhappiness which his exhibition of temper had caused to the sickly priest. The full meaning of the accusation came home to him. He took his pen and under the word *"assault"* he wrote another word. The word is there to this day—*Peccavi.*

[8] He seems to have assumed that Father Therry's "assault" had *ipso facto* brought excommunication upon him.

CHAPTER IX.

Why, O Lord, are they multiplied that afflict me? Many are they who rise up against me. . . . But thou, O Lord, art my protector, my glory, and the lifter up of my head.

—Ps. III.

About this time Father Power was informed that, as Government Chaplain, he must reside in Sydney. He did so, officiating at the old Court House. But Father Therry's work in Sydney did not cease, though he regularly officiated in Parramatta and its districts, and continued his duties wherever he was needed.

By his departure to Tasmania in the first years of the mission, Father Conolly had not altogether lost his position of seniority and (to some extent) authority over Father Therry. He was still the local head of the Church; so to him Father Power sent a statement of his difficulties, knowing that Father Conolly would fully appreciate a position which he, when in the colony, had found insupportable. Father Conolly was sympathetic. He wrote from Hobart:—

Rev. Dear Sir,

I have to acknowledge your letter, the subject of which gave me great concern but did not surprise me, for (considering the knowledge I have of Mr. Therry's disposition, to which you have adverted so plainly without mentioning his name that I could not mistake you), I expected, at least to hear some account like what you have told me. As affairs cannot last very long in such a state, your good sense will direct you, in the mean time, to exercise great prudence and caution in the discharge of your duty as well as in every other matter you may be concerned in.

I expected you had been, from the time of your arrival, perfectly aware that Mr. Therry possessed no authority over you—having identified yourself so much with him must have, in a considerable degree, involved or harassed you. In future you will for your guidance consider yourself exempt from any pretended authority in him over you, and not responsible to him, in the least degree, for any act of yours.

In spite of these strained relations, the two priests continued to attend strictly to the wants of the Catholics in the colony. The schools at Parramatta and Sydney were doing good work in educating the young to be good Catholics and good citizens. Their returns of attendance sent in by the teacher, Bridget Dwyer, give the names of 85 children who attended 1089 weeks from July to September, and of 88 children who attended 1144 weeks from September to December, 1830. For her work as teacher she was paid by Government at the rate of twopence per week for each child.

The work in the gaols and among the convicts was a severe strain upon the energies of both priests. Constant attendance was necessary. Notifications similar to the following were frequently sent to Father Power:—"I lose no time in communicating to you that the five men named in the margin are to be executed at Maitland on Tuesday." The journey to Maitland was not a small matter;[1] it took fifteen days of constant work to perform this duty. By special concession of the Governor, the Chaplain was allowed fifteen shillings *per diem* as remuneration and to cover expenses; but Father Therry, who performed similar duties, was not so fortunate. The ban against him had now been lifted to the extent that, if a dying person asked for his services, the request could be granted. One such person, about to be executed, asked for his attendance at Maitland. He traversed the one hundred and thirty miles of unfrequented bush tracks; but on return, when he asked the Government for a refund of his expenses, it was refused him. The same year he was called to Bathurst on a similar errand, and was treated in a similar manner.

Father Therry's enforced removal to Parramatta gave an opportunity for further Government restrictions. His first attempt to celebrate Mass in this locality brought back memories of bitter days, for which he had tried to persuade himself that the Government was beginning to make amends. He addressed a complaint to the Governor:—

As soon as I learned that his Excellency had directed

[1] Cf. letter in Appendix A, No. 21.

the Revd. Mr. Power to leave Parramatta and reside in Sydney, I made an arrangement with the Catholic inhabitants of that town, to perform Divine Service for them on at least every alternate Sunday, and having accordingly celebrated Mass on two Sundays, I was told by the local Superintendent of Convicts that he had received letters from the Government directing him to exclude me from the large room in which Divine worship had been performed. Since the time of that interruption the Catholic inhabitants of that town, during an interval of about four months, have not had an opportunity of hearing any religious instruction on the Lord's Day. His state of health, however zealous he may be in the discharge of his duties, will not permit the Revd. Mr. Power to celebrate Mass both in Sydney and in Parramatta on the same morning, as I was accustomed to do for many years. In a community of well conducted persons, I beg leave respectfully to inquire, on that account, and because I have not had the good fortune to please in the discharge of what I considered to be my sacred duty the Head of the Protestant Church, why they should be subjected to so severe a privation, and some of them doomed as they have since been to depart this life in the Hospital and Female Factory, without the rites of their Holy Religion.

An extract from his diary for 1830 shows the extent of his ministrations throughout the colony:—

> Monday, 18th January—Visited the General Hospital.
> Tuesday, 19th—Received of Peter Fagan for Chapel, £1; left Sydney for Parramatta; thence to Seven Hills; slept at Kelly's.
> Wednesday, 20th—From Kelly's to Windsor; attended in Windsor Gaol three unfortunate men under the sentence of death. Received of Richard Fitzgerald for St. Mary's, £10.
> Thursday, 21st—Married at Richmond John Donovan and Mary Nowlan.
> Friday, 22nd—Left Richmond; called at the General Hospital, Windsor. Heard of death of young Nolan, who had died previous night. Received plenary indulgence. Visited Lawlor, an old man living in a skilling in the back street; heard his confession. Visited the six men under sentence of death. Left Windsor. Called at Mr. Long's, Parramatta, and Mr McCabe's, Sydney.
> Saturday, 23rd—Mass at Chapel House; visited Hospital.

Sunday, 24th—Started for Parramatta; said Mass at Mr. Nash's. Returned to Sydney; Mass in St. Joseph's Chapel[2] *pro omnibus*. Nothing received at door.

Meanwhile events were happening in England which were to have a large influence on the Church in Australia. The year 1829 was of great importance to the Catholics of England, for during it they were given official recognition of their right to exist, and allowed to compete with their fellow-beings, without compromising the demands of conscience; and early in the next year the benefits conferred by the English Act were legally extended by Acts of Council to the Catholics of New South Wales and Van Diemen's Land.[3]

Towards the end of 1829 there arrived in Sydney one who not only raised the social standing of the Catholic Church in the colony, but by an unflinching adherence to Catholic principles, and by identifying himself with every movement on its behalf, placed the Church in so secure a position that the Government at last began to give it consideration, and even favour. This was Roger Therry, who came out with the appointment (from the Home Government) of Commissioner of the Court of Requests, and remained in Australia from 1829 till 1859, during which time he also occupied the positions of Attorney-General, Resident Judge of Port Phillip, and Judge of the Supreme Court of New South Wales. His ardent work on behalf of Catholic Emancipation in England, and his position as Secretary to the "National Society for the Education of the Poor in Ireland," eminently qualified him for the task of raising up the struggling Church in Australia. Father Therry heard the good news from an influential friend in the Excise Office at Dublin, who wrote:—"Mr. Therry will no doubt prove a great acquisition to the Colony, as he distinguished himself in his College course, and though yet but a very young man, has established a reputation for

[2] See NOTE at end of chapter.

[3] For New South Wales, by 10 Geo. IV. No. 9 (passed 18 January, 1830); for Van Diemen's Land, by 10 Geo. IV, No. 6 (passed 20 January, 1830).

high literary attainments and true principles of patriotism. He is a near relative of the celebrated Edmund Burke, and has established a literary connection with the celebrated orator and Statesman, the late George Canning, by giving to the world the biography of that great man."

In his *Reminiscences* Roger Therry writes:—[4]

> If there be any circumstance connected with my long residence in New South Wales that may entitle my name to a favourable remembrance, it is the effort I made to rescue my co-religionists—the Roman Catholics—from the subordinate position in the political and social scale to which they and their ancestors at home had been doomed, and to which the circumstances in which I found them abroad foreshadowed they were destined.

His name is still remembered as he wished.

On his arrival in Sydney Roger Therry was surprised at the poverty of the Catholic people. There were not in the whole colony when he arrived half a dozen Catholic families of the "gentry." When Mrs. Therry wore a bonnet to Chapel, the congregation was amazed and disturbed; no Catholic had ever appeared so richly dressed. The constant influx of Irish "rebels" had created a considerable Catholic population; but only a small part of it was free, and every office of importance was filled by members of other religious denominations. One result was that £19,000 of public money was granted to the Anglican community, and but £800 to the Catholics, although their numbers were nearly the same. Roger Therry determined to have this altered. There was little chance of achieving his aims by action on the spot; he invoked the aid of influential men in England, who had fought and won the battle of Catholic Emancipation. Mr. Blount, member for Steyning, who enjoyed the confidence of the Liberal Administration, was asked to do his best for the Catholics of Australia; and his efforts were finally crowned with success.

Roger Therry himself entered whole-heartedly into the plan of campaign suggested by Father Therry for the ameliora-

[4] P. 144.

tion of Catholic social conditions, and was always ready to help him with advice and with the influence due to his ability and position, as well as with hard cash:—

Sydney, December 24/'29.

My dear Sir,

I assure you I have never done an act in my life with more complete gratification, than I feel now in transmitting to you £50 towards the erection of the Catholic Chapel. I wish this sum to be accredited in the following manner:—

R. Therry, H.M. Commissioner of the Court of Requests for N.S.W. £25
Mrs. Therry £15
Miss Ann Huskisson Therry £10

The advantage of providing a suitable place of worship for the large contingent of Catholics which our country contributes to the population of this colony is obviously most important. To cheer the depression of exile, and to aid in the redemption of character, there can surely be no more powerful and efficacious instrument than the consolation and the influences of religion. Your most meritorious exertions to erect a temple worthy of the glory of God's worship, and adequate to the wants of the community in which you live, entitle you to the gratitude of every Catholic, of every Christian, and of every friend of religion and education throughout the civilized world. May that God whom you serve with such fidelity and zeal prosper your beneficent design, and reward your pious labours.

Believe me, my dear Sir,
Yours faithfully,
R. Therry.

Father Therry's reply depicts the effect on the Catholic community of a co-religionist's appointment to high office:—

Chapel House, Sydney,
26th Dec. 1829.

My dear Sir,

I avail myself of the first moment of leisure allowed me at this busy season, to acknowledge the receipt of your letter of the 24th instant, enclosing donations of £50. For these donations as well as for the kind sentiments conveyed in your letter, I consider you entitled not merely to mine which are of little value, but to the thanks of the Catholic community,

to whom except as to character you are yet a stranger. I have invariably thought with you that the benign and salutary influence of Religion communicated by proper Ministers and in suitable places of worship, would afford the most effectual means of stemming the great and rapid tide of immorality, which if not speedily checked will overwhelm the Colony.

I am sure my dear Sir, that were you to make a candid representation to the B. Government of the moral and physical state of the Catholics of this colony, destitute of places of worship, ministers of religion, and the means of providing even the rudiments of education for their poor children, the evils of which we now have much reason to complain would be soon remedied. The Catholics of the Colony notwithstanding all the evils to which they have been submitted are truly loyal, but surely it would not be unwise to nourish this loyalty by the adoption of measures calculated to create confidence and excite gratitude. Sir George Murray whom all parties venerate, has already contributed by your appointment to that situation, for which by your integrity and talents you are so well qualified, to dissipate the gloom which has hung over their minds, and through the false medium of which they apprehended that they and their children were to be made victims of a policy which is at last exploded.

Father Therry used the opportunity now given him the more readily, since Roger Therry was willing to forward his claims. Thirty years later the friendship was still unclouded by any misunderstandings. Father Therry's appreciation of all that the Commissioner had done for the Church is shown in a letter to Mrs. Therry in 1858, in which he tells her that "it will be a consolation to you to know that I did not forget to celebrate this morning for your intention, and that I have not omitted for thirty years to make a daily memento of the Plunkett's and Therry's at the altar."

Father Power, who had continued to perform his duties to the best of his ability, died suddenly on the 14th of March, 1830. At his death it was found that he had left debts amounting to £300; these, with a part of the funeral expenses, were settled by the Catholic community, who had realized at last that certain features of Father Power's character which they could not understand were due to the ailments of a broken

Redgways
169 Piccadilly
London

My dear Father Thorry June 26
61

Tho' I have not before written to you I have not failed in my constant correspondence with W. Sullivan to make frequent inquiries for you, & am glad to learn from him that, with the exception of those infirmities to which your advancing years we are all subject, you have enjoyed pretty good health since our departure. The immediate occasion of my writing now is to apprize you that I have sent by the Steamer La Hogue which leaves for Bordeaux this week a case addressed to my

daughter at Subiaco, amongst
other things – a wax candle for you
& the Holy Father at Rome on
last Candlemas day. – I thought
a little present from Rome would please
& I hope it may reach you safely
& that you will be pleased with
it. – I forwarded to George
the present you gave me for
Him, on my leaving Sydney, &
sent Him your directions which
accompanied it with which,
I hope, He has complied. –
The accounts I receive from Him
are very satisfactory. He is
very steady & well conducted, & will
now (D.V.) soon arrive at the
rank of a Captain in the Army
in

India - My eldest daughter Anne
is also very well - She lives at Ber-
-wick not far from London, & has
four fine children - two boys &
two girls. - Of my remaining two
you know the position. Jenny
is not far from you, & so, I am
glad to know, well & happy -
& I am ~~happy~~ glad to be
enabled to say the same of
Sophia who is now a professed
Saunton
& the Revd Mother of that establish-
-ment address me - an excellent
as well as happy & contented one I am.
Thus, my dear Father Henry
& I have four children, I am
are alone in the world & almost
so far as their society goes, almost
in

R Thorny Co., 26 June 61

be the same position as I did had not any. However, they are very happy & this must be our consolation under the loss of their beauty. My eldest daughter & her little family 'tis true I see sometimes, & We pay occasional visits to Sophy at Taunton - You will be pleased to hear Mrs Thorny enjoys good health - & Shrunk better spirits than she did last Rome tour in Sydney. Her visit to [illegible] was one which she as well as myself really enjoyed. It is a visit which every Catholic should make who is placed within the opportunity of doing so as our religion must seem in its true glory. We should be much gratified to hear from you, & with our united affectionate remembrance & regards Believe me your [illegible] friend. R Thorny

man. His remains were removed in later years from the old Devonshire Street cemetery to St. Mary's Cathedral, where they rest to-day under an altar tomb.

So Father Therry was again alone in the vast territory that formed his parish.

The hopes of the Catholics of New South Wales had been raised to a high level of expectation by the passing of the Emancipation Act in England and its almost immediate application to the colony. Many Protestants, moreover, were still as sympathetic with Catholics as at the time of the laying of the foundation stone of St. Mary's; and it was felt that any public protest against the unjust system under which Catholics were labouring would have more weight if its initiative and execution were in the hands of prominent Protestant citizens. By the expression of their sympathy a new movement was launched. On 5 February, 1830, Edward Wollstonecraft addressed the following letter to Father Therry:—

My dear Sir,

I have seen Mr. McArthur on the subject of the new Protestant committee for the aid of our Catholic Brethren. He very handsomely has agreed to take upon himself the office of Chairman of that Body, and joins me in requesting that you will furnish us with the names of 15 or 20 gentlemen from whom may be selected an additional 3 or 5, as may be thought most proper, so as we may render such Committee respectable and efficient.

The movement was taken up with great enthusiasm. There were many who, like Chief Justice Forbes, were all the more enthusiastic in the cause because they were embittered against the Governor and his despotic administration. The wording of a petition to the Governor was the next concern. It would not, the petitioners considered, be of any service to Father Therry's cause to renew his disavowal of the mistake by which the printer had made him express "qualified respect" for the Anglican clergy. It would be wiser to apologize for what did actually appear in print, and to adopt the attitude of the man who considers himself to have been sufficiently punished, and now promises amendment. On these lines the petition was

drawn up, and signed by several of the principal officers of the Government, by thirty-seven magistrates, and fourteen hundred professional men, merchants, and householders.

The petition is dated March, 1830, and reads as follows:—

To His Excellency Lieutenant-General Darling, Governor and Commander-in-Chief in and over the Territory of New South Wales in Council.

The respectful Memorial of the undersigned Magistrates, Merchants, Land and Householders,

Sheweth,

That in respectfully inviting your Excellency's attention to this Address respecting the Roman Catholic Chapel in Hyde Park, we deem it our first duty to convey to your Excellency, as the Representative of our Gracious Sovereign, the expression of our congratulation and joy, that our beloved Royal Master, guided by the light of his own generous mind, and that of the best and ablest of his councillors, has knit together the hearts and affections of all his subjects, and has consolidated the strength of the Empire, by combining them under the comprehensive appellation of an equal and united People.

That this recent act of policy and of justice, we sincerely feel to be one of the most auspicious, wise and useful measures, that have been passed under the sanction of a Gracious King; within the short space of whose illustrious reign, glorious and brilliant events have been concentrated, which are usually scattered over a century of time.

That impressed with a due sense of the beneficent designs intended to be promoted by the great measure of political equalization to which we have adverted, we beg leave to express our respectful hope and confidence, that under your Excellency's auspices, this rising and important Colony may be made a participator in the act of Royal favour and Legislative concession, which all just and liberal men regard with approbation; and which has filled the hearts of all his Majesty's Roman Catholic subjects with sentiments of affectionate gratitude and devoted fidelity.

We beg leave respectfully to suggest to your Excellency, that any encouragement which your Excellency may be pleased to extend towards the completion of the Roman Catholic Chapel in Hyde Park, would be most acceptable to the numerous body of that religious persuasion in this Colony;—and we further

Chapel Road Sydney 20th Septr 1830

Sir

Necessity compels me to trouble you to inform you that I have made during the last four years repeated applications through the Office of the Principal Superintendant of Convicts for the assignment of a few Carpenters Stone masons and sawyers to enable me to finish the Roof and secure the walls of the Catholic Chapel and that the only persons assigned me for that truly important public purpose since the commencement of that long period, were two manchester weavers, a Baiker, and a young man who has spent six months in endeavouring but without success to learn something of the trade of a Carpenter. The Roof has already from a long exposure to the weather without shingles received considerable injury and is now in danger of being blown off the walls by the equinoctial gales and the more particularly as it is not supported as it was intended to be by substantial columns. These I have provided and they are now in the harbour but as there is no team of horses or oxen in Sydney that I can command of beasts belonging to Government, ~~the assistance of which~~ capable of drawing them from thence to the Chapel ground they are at present of no use whatever.

I have the honor to be, Sir,
your most Obt humble Servt
John Joseph Therry

The Hon the Colonial Secretary

APPLICATION FOR GOVERNMENT ASSISTANCE IN BUILDING ST. MARY'S

respectfully represent to your Excellency, that besides being grateful to the feelings of that community, an additional inducement to that encouragement may be found in their increasing number, and increasing want of an edifice worthy the glory of God's worship, and suitable to the pious purposes of religious rites and Christian instruction.

In conclusion, we deem it right to state to your Excellency, that the Roman Catholic Chapel has arrived at its present state of forwardness through the zealous exertions of the Reverend John Joseph Therry; and by means of the subscriptions which the members of his own flock, and other liberal and opulent persons, were induced to contribute, from a confidence in his moral worth, a respect for his talents, and for the purity with which he devoted those talents to the spiritual welfare of the community of which he is a Pastor. From the authorized assurance which we have received of that Reverend Gentleman's regret, that any document published by him should have given offence to the late Venerable Archdeacon of this Colony, and from the respect and confidence which we know he continues to enjoy among the members of his own religious persuasion, we respectfully confide, that circumstances of bygone difference, and topics of unpleasant discussion, may be forgotten, and that such circumstances, and such topics, may be no bar to such assistance as your Excellency either may have power to influence, or disposition to extend, towards the completion of the Roman Catholic Chapel; without which assistance we apprehend, that instead of being, as it might be, a Temple of piety, and an Edifice combining ornament and utility in an eminent degree, it will become a ruin.

The subjoined signatures include those of Alexander Baxter, the Attorney-General; Sir John Jamison; R. Wardell, LL.D.; Roger Therry; Gregory Blaxland; and many others.[5]

The petition never reached Governor Darling, but was subsequently presented to Governor Bourke, and by him forwarded to the home authorities. From a letter written by John O'Sullivan we learn that the request for the reinstatement of Father Therry was rejected by Lord Stanley, the Colonial Secretary. Still, the petition was not fruitless, for it contributed largely to the success of Mr. Blount's efforts in London.

[5] The complete list of signatures is given in Appendix B.

After Father Power's death Government was compelled to countenance the ministrations of Father Therry. He was the only priest for many thousands of Catholic people. Roger Therry petitioned Government that the priest be re-appointed official chaplain, and was told that Father Therry would be allowed unrestricted admission to the hospitals and gaols, and could act generally as chaplain; but on no account would Government give him any remuneration for the work thus permitted to be done. Even this half-hearted recognition was only temporary, and would continue only until another chaplain should reach the colony. He must understand that the grant of the favour did not imply re-appointment.

During this interval, however, the priest received more kindly treatment from the Government. After so many letters of bitter disappointment at refusals, it is pleasant to find one couched in terms of thanks for favours received. On 17 September, 1830, he wrote to the Colonial Secretary:—

Dear Sir,

I feel much gratified in having to acknowledge the receipt of your letter, by which I am informed that His Excellency has directed that I should be accommodated with the loan of such Carpenters, Stonemasons and Sawyers as can be conveniently spared, to enable me to finish and secure the walls and roof of the Chapel, and also with the use of a Government team to draw some heavy timber to the chapel ground from the harbour. And I beg leave Sir, with great sincerity to assure His Excellency that for this act of kindness I feel exceedingly grateful, and more especially, as I confidently look on it as a prelude to the extension of still greater favours to His Majesty's loyal Catholic subjects.

The Government was growing so magnanimous that it occasionally wished to grant more than he asked. The old trouble of too much work for one chaplain's attention was again asserting itself. The convicts could not be given Mass every Sunday at each institution; so Father Therry applied to Government to appoint a catechist (approved by himself) to read Catholic prayers on these days. The Government proceeded to seek—luckily in vain—for a man capable of per-

forming "Divine Service." Father Therry wrote at once to dissuade the authorities from any such quest:—

Sir,

With reference to your letter of 7th inst. it may be necessary for me to state in explanation that I did not presume to suggest that any person should be authorised by His Excellency to perform "Divine Service" for any portion of the Catholic community. Divine Service in the general acceptation of the term among Catholics means the celebration of the Holy Sacrifice of the New Law, which can be performed only by him who has received Holy Orders, and possesses Jurisdiction. The Pope could not authorise even one of His Cardinals to celebrate the Mass if he had not previously the Order of Priesthood. The Government Office which I requested to be created is similar to that of Catechist in the Protestant Church, and is much more required by Catholics than by Protestants who possess a considerable number of zealous ministers, schools, places of worship and an abundance of Religious literature.

On 20 September, 1831, the official notification of a new appointment was gazetted:—

> His Excellency the Governor directs it to be notified that the Revd. Christopher Vincent Dowling has been appointed Roman Catholic clergyman of this colony, in the room of the Revd. Daniel Power, deceased.

Father Dowling was an Irish Dominican of considerable ability, and a somewhat remarkable preacher. He needed all the talents he possessed, if he were not to shatter his ambitions on the rock that had wrecked his predecessor. He supplanted Father Therry; and by this very fact, though he was unconscious of it and not responsible for it, he was in danger of forfeiting the sympathy of the Catholic community. His only safe course of action was to recognize the long standing and influence of his fellow-priest, to express sympathy in his difficulties, to gain his affection, and so win the love of the people. He took the wrong course, and the difficulties that arose in Father Power's time were once again evident. The middle

course pursued by Father McEncroe, who arrived a few years later, and the subsequent taking over of the government of the Church by Dr. Ullathorne, in the end remedied these difficulties.

Father Therry was beginning to feel the strain on his health, and to despond just as when, six years earlier, he had sent in his resignation to his Bishop. Then the reply was, "If you quit, who will attend to the vineyard?" and he had stayed on. Now the conditions were changed. There was another priest to take his place. His own presence here, he began to realize, was a hindrance rather than a help to the Church. A few weeks previously he had been deprived again of Government recognition, and another was managing the house he had built with such difficulties. In this depressed state of mind he addressed the Government:—

Chapel House, 8th Oct., 1831.

Sir,

As the principal objection I had to accepting Earl Bathurst's allowance of three hundred pounds to defray the expenses of my passage to England, is now removed by the arrival of a clergyman in whom both the Government and the people may safely place confidence, and as it is now my intention to avail myself of an early opportunity to proceed to that destination, I have to beg that His Excellency will order that sum to be placed in the hands of Commissioner Therry as a trustee, in order that it may be applied by him for the purpose for which it was intended by that nobleman or be returned to the Colonial funds if not required within a time specified by His Excellency.

The late Mr. Power who succeeded me as Government Chaplain on the 25th December, 1826, having been incompetent in consequence of a continued state of ill health, to discharge any considerable portion of the duties of that office, I had to perform until the day of his demise 14th March, 1830, the greater and more laborious part of them; and from that day until the 17th ultimo when the Rev. C. V. Dowling arrived, the whole of those duties devolved on me. In common courtesy a liberal compensation should be allowed me by the Government in consideration of my troubles, labours and other important public services during the former period, but in honour and justice they are imperatively bound to compensate me for those of the latter.

He had asked too much. The Government policy was to forget all about Father Therry, if that happy state of mind were possible. He received no reply. He could not leave the colony without Government assistance. Although he had received several grants of land from Governors Macquarie and Brisbane, they were of too small a value to be of service to him. He must stay; and, if he stayed, he must continue to act as chaplain to his people, who bothered little about the Government suspension.

The relative positions of the two priests soon brought on difficulties that could hardly be avoided. Father Therry would not admit the superiority which the chaplain attempted to assume. If Father Dowling would assist him in his labours, or act independently of him, he would not object. But he thought—and with reason, too—that Father Dowling claimed too much; and in this attitude he met with the support of his Bishop. Dr. Slater summed up the difficulties, stated explicitly the positions of the two priests, and formulated rules for amicable working:—

Rev. dear Sir,

I have been honored by your letter of the 12th January, and without entering into unnecessary details on a subject which has given me so much pain, I will inform you that I have written to Mr. Dowling a letter, which I hope will in future prevent his assuming any right of superiority over you, or putting forward any claims of ownership of what has been produced by your laudable, arduous and perseverant efforts.

To the Commissioner of the Court of Requests I have stated opinions which, as he is under no restraint as to their communication, will be your apology to the public if any portion of it has blamed or mistaken you, and may be of some use to you with His Excellency the Governor. If Mr. Dowling show you the letter he will receive under this cover, it will be a pledge of his wish to return to terms of brotherly affection, which I am sure you will meet with cordiality. I would advise your returning to the same terms on which you received him into the Chapel House.

I hope you have left regular accounts of the monies you have received and expended on account of the chapel and

house; for this you and I may be satisfied that your own frugal table and abstemious habits have drawn little from the common fund, yet whatever is common must be accounted for to the public. I know that many very active and zealous men are apt to consider as *minutiae* deserving scant attention objects of economy which are of importance in life.

I enclose a printed paper which will enable you to appreciate the rumours Mr. Dowling is spreading on a subject of which he spoke in different terms to Mr. Conolly. The written paper will I hope, put a term to those differences, for whatever be the origin of Church property, once applied to religious purposes it becomes immediately subject to Episcopal jurisdiction.

I trust you will not fail, whoever be the Trustees named, to make it perfectly understood that a portion of the land granted at your request in Sydney, was intended for the erection of a seminary for Ecclesiastical education, and that you had so notified to me. Indeed, I shall take care that all your laudable intentions are realised; otherwise, the church shall not be consecrated whilst I hold jurisdiction over Australia.

You cannot, I should apprehend, feel any difficulty in signing the accompanying paper. It is preliminary to what I may feel myself justified in doing later. I have distinctly told Mr. Dowling that he had no right to exercise authority over you, and I have no doubt your conduct towards him will be marked by the urbanity of a gentleman, the charity of a Christian and the kindness of a Brother.

Wishing you all peace and happiness,

I am, your friend and humble servant,

✠ Edward E.R.

The terms of agreement proposed by the Bishop read as follows:—

1. That the trustees be those named by the Rev. J. J. Therry.
2. That Mr. Therry remain Master of the Dwelling House he has himself built. The Revd. C. V. Dowling being entitled to a fair share of apartments therein for himself alone.
3. That the duties of the Chapel be shared between the two clergymen, and the proceeds of dues etc. to be

divided into three equal parts, whereof two shall be allotted to the clergyman who does not receive a salary from Government.

4. That so long as Mr. Therry remains unpaid by the Civil Authority, Mr. Dowling shall take precedence in the temporary chapel allowed by Government; St. Joseph's Chapel and the schools remaining under the superintendence of Mr. Therry.
5. That the collections which must continue to be made on Sundays be paid into the hands of the Trustees.
6. That the Charity Schools remain or be replaced under the same female guidance under which they were found at the arrival of Mr. Dowling at the settlement.
7. That whenever Mr. Therry shall at the request of Mr. Dowling proceed into the country districts on duties where a compensation or advance is allowed by Government, he shall be entitled to two-thirds of the sum allowed.
8. That no influence whatever be exercised by either clergyman to induce the faithful to place themselves under his special directions; perfect liberty being left to every member of the congregation to such spiritual aid and consolation as he may like best.
9. That these conditions be mutually agreed to and signed in the presence of J. R. Therry Esq. J.P., and Sir John Jamison, J.P.; or, on their declining, in the presence of two other respectable witnesses, and that until they be so signed neither clergyman be allowed to bless, consecrate or use for religious purposes the edifice erected mainly by the exertions of the Revd. J. J. Therry.

✠ Edward Slater.

Mauritius,
Port Louis, 8th March, 1832.

These conditions were severe and far-reaching. They were made capable of observance, because both priests were to begin with deprived of the right to use the church; if they intended to continue their ministrations, they would have to find means of obeying. Much is possible, when possibility is bound by necessity. The Bishop was in an unenviable position. There were two priests in a vast colony, thousands of miles

from any other civilization, and from this distance he had to direct them.

Father Therry did right when he determined to leave Australia; but his later change of mind is justified by the invaluable services he actually rendered to the Church in New South Wales, Port Phillip and Tasmania. He looked ahead, it is true, to the effects that such a retirement might bring about; he saw that the people might refuse to recognize a chaplain who by his mere presence made possible his own continued suspension; he saw that there must be more than one priest to help in a missionary field which was really too large for a dozen labourers. On the other hand, it had been proved in the case of Father Power that the existence side by side of the official and the suspended priest led to almost impossible situations, and it was certain that a similar situation would arise in the near future. The misunderstanding had already become acute. There were open and public evidences of the disagreement between the two impulsive priests.

Note on St. Joseph's Chapel.

On p. 127, in an extract from Father Therry's diary, it is mentioned that he celebrated Mass in Sydney at "St. Joseph's Chapel." This name plunges us into a controversy that has agitated many students of the early history of Sydney. What was this chapel? Where was it situated, and when was it built? Dr. Ullathorne in 1833, writing to Bishop Morris, mentions "the presbytery and a small chapel annexed, dedicated to St. Joseph" as buildings on which Father Therry had spent £1,100. He goes on: "The origin of St. Joseph's Chapel ought to be made known to your Lordship. When disputes arose between the Revd. Mr. Power and the committee for managing the building on one side, and the Revd. Mr. Therry on the other, Mr. Therry built this Chapel, capable of holding (with its galleries) about 300 persons, with part of the money collected for the Church and Presbytery."

Dr. Ullathorne was a good deal worried about this chapel, and even went so far as to talk about "two rival congregations." At first sight, too, it seems a little superfluous for Father Therry to have built a new chapel in St. Mary's grounds, just when it was very difficult to raise funds for completing the

ST. MARY'S CHURCH AND PRECINCTS

(North-eastern aspect, from a watercolour at St. Patrick's College, Manly)

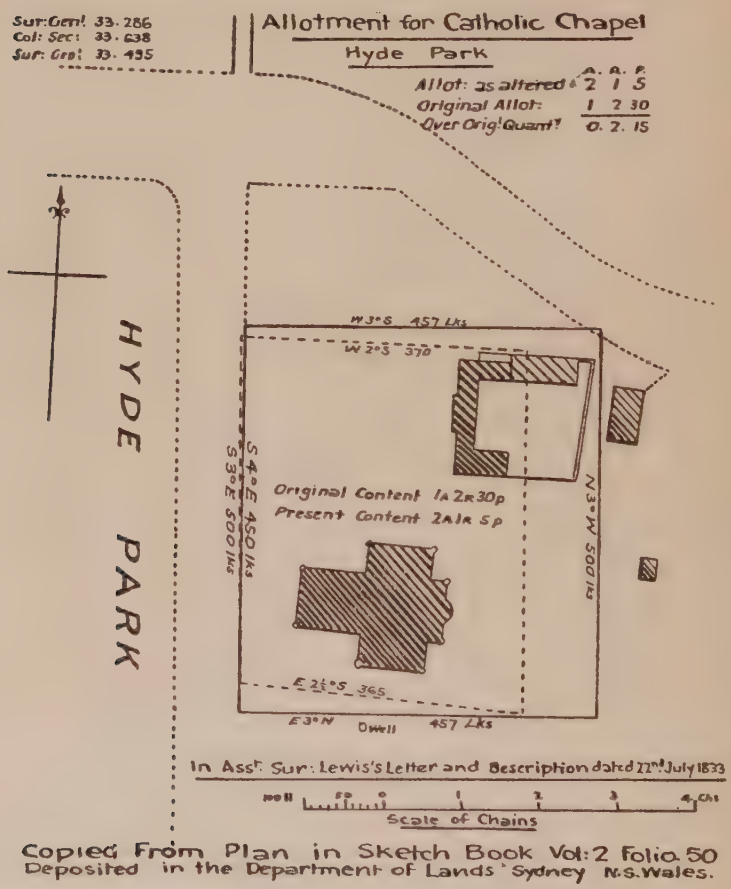
To face p. 140

main church, and while Mass was being celebrated in the old Court House every Sunday. These considerations have led some writers to assert that St. Joseph's Chapel was not a separate building at all, but merely an altar within the first-completed part of the main building. Dr. Ullathorne's words,

ST. JOSEPH'S CHAPEL

however, make this assertion untenable, and we seem driven back on the supposition that Father Therry was so embittered against Father Power as to spend much-needed money on a superfluous building, just to have a foothold for his own ministrations in Sydney apart from the official chaplain. (The fourth of Bishop Slater's 'terms of agreement' shows that it became just such a foothold.)

On the other hand, no existing plans of the grounds attached to St. Mary's made prior to 1846 (and there are half a dozen or more) show any separate chapel. Some of these plans are contemporaneous with Dr. Ullathorne's arrival, and yet show no trace of the building which so worried him.[6]


Sur:Gen! 33.286
Col: Sec: 33.638
Sur: Gen! 33.435
Allotment for Catholic Chapel
Hyde Park
A. R. P.
Allot: as altered 2 1 5
Original Allot: 1 2 30
Over Orig! Quant! 0. 2. 15
HYDE PARK
W 3°S 457 Lks
W 2°3' 370
S 4°E 450 Lks
S 3°E 500 Lks
Original Content 1A 2R 30P
Present Content 2A 1R 5P
N 3°W 500 Lks
E 2½°S 365
E 3°N
Dwell
457 Lks
In Ass! Sur: Lewis's Letter and Description dated 21st July 1833
Scale of Chains
Copied From Plan in Sketch Book Vol: 2 Folio 50
Deposited in the Department of Lands Sydney N.S.Wales.

SKETCH OF SITE OF ST. MARY'S, MADE IN 1833

[6] Still, surveyors' sketches concerned only with the area of ground granted (as these are) do not always represent accurately the buildings within that area. A sketch of 1846 might quite naturally reproduce the building conditions of 1828.

A possible solution, however, is afforded by the mention in a letter of Father Therry's to Bishop Slater (quoted on p. 67 above) of a school-house which he put up in 1824: "a very handsome building in the cottage style, one hundred feet in length, with two returns of 45 feet each. It is ornamented with a very handsome cupola, for which we have provided a good bell."

This building is clearly shown on all the pre-1846 plans, but with a noticeable addition. The "return" nearer the church is 45 feet long, as Father Therry says; but the "return" on the far (the northern) side, though its original dimensions are indicated, has been extended by the addition of about sixty feet to its length, and a few feet to the greater part of its breadth. On one of the plans the whole building is called "School and Dwelling House". This answers exactly to Dr. Ullathorne's description—"the presbytery and a small Chapel annexed"; and on these facts we might conclude that Father Therry, finding the building over-large for a school (he himself says it was nearly big enough to make a convent), and feeling the need of a foothold in Sydney as suggested above, felt justified in enlarging one wing of the original building and using it as a chapel. We know that Father Power's attacks on supporters of Father Therry, which were not infrequent at the Masses in the Court House, embittered many Catholics; and the unfortunate friction between the two priests, while it would not have justified or even excused the erection of a new building, might be taken as some excuse for the adaptation and enlargement of an old one.

Were this all the evidence available, we could justifiably conclude that St. Joseph's Chapel was, as just suggested, the enlarged northern wing of the 1824 schoolhouse. But a water-colour painting in the library of St. Patrick's College, Manly, (reproduced at p. 140), and another almost identical water-colour in the possession of the Revd. W. H. H. Yarrington, indicate a very different state of affairs. In these pictures the space allotted on the Lands Department plans to the school-house of 1824 is occupied by two rather squat buildings (one storey and an attic) with a taller one (two storeys and an attic) between them, all three with the longer axis east and west. These paintings—which, apart from the differences noted below, are distinguishable only by slight variations in the foreground, the length of the blackfellow's spear, and such unimportant trifles—must have been made before 1843, in which year the cottage shown on the left (then used as a

schoolhouse) was pulled down and a larger building—St. Mary's Seminary—erected on the same site.

Collating the evidence furnished by these pictures with that of the sketch (p. 141) reproduced from Mr. O'Connor's pamphlet of 1882 and with the recollections of men still living who knew the buildings from 1860 onwards, one might venture to identify "St. Joseph's Chapel" with the central building shown in the watercolours; indeed, there is little doubt that in the sixties it was so. It will be noted, moreover, that in the reproduced painting a cross is clearly depicted on the western gable of the central building. In Mr. Yarrington's picture no cross is visible, but close scrutiny discovers traces of its obliteration. The picture reproduced from Mr. O'Connor's pamphlet also lacks a cross; as St. Joseph's Chapel was afterwards used for other purposes, there may have been one on the gable originally, and it may have been removed when the building ceased to be a chapel. (But the watercolours are not to be taken as infallibly accurate; for instance, Mr. Yarrington's shows a cross on the second pinnacle from the left of St. Mary's itself, which is lacking in the Manly picture.)

It must further be noted that the extensions of the schoolhouse shown on the plan of 1828 are not accounted for in the watercolours. The plan shows one wing (the northern) as quite 100 feet long, the other as about 60. The northern wing in the watercolours is obviously much less than 100 feet long; it corresponds rather to Father Therry's original "returns of 45 feet each". One would naturally conclude from this that at some time between 1828 and 1843 the additions had been pulled down—and possibly used to build the central chapel. And from other evidence we can guess why. On p. 154 are quoted official letters showing that Father Therry had put up buildings on land outside his original grant, and that the Government insisted on their demolition; while the plan reproduced on p. 155 shows that the buildings so put up were in fact the two extensions in question. Therefore, although there is no record of the actual demolition, we are justified in concluding that it took place. The use of the materials for the construction of the third (the central) building is no more than an inference—strengthened, of course, by the fact that between the official order for demolition, dated 15 July, 1828, and the first recorded use of St. Joseph's Chapel on 1 January, 1830, there is reasonable time for both demolition and erection. And yet . . . while it seems excusable, as has been said, in Father Therry to evade collision with Father Power by fitting up for his own

Masses a building already in existence, the erection of a new building, even with materials already on the spot, can scarcely be justified.

Until further evidence is available, it would seem that the controversy must rest here. It is certain that at some date before 1843 there was a central building between the wings of the schoolhouse, and that this building was used for some time as St. Joseph's Chapel. But whether this was the building in which Father Therry offered Mass for the first time on Jan. 1, 1830, and frequently afterwards, cannot be definitely stated.[6]

[6] For many of the facts here set forth the author is indebted to the kindness of Mr. T. Donovan, Mr. John Weingarth, and Mr. H. Selkirk of the Lands Department. Mr. J. G. O'Connor's *St. Mary's Cathedral,* and *Old St. Mary's,* by Mr. J. P. McGuanne, have also been consulted.

CHAPTER X.

Pray ye therefore the Lord of the harvest, that he send forth labourers into his harvest.

—St. Matthew ix., 38.

The arrival of Roger Therry in 1829 had been the herald of better times; the departure of Governor Darling, and the arrival of Sir Richard Bourke at the end of 1830, ushered in the period of justice for which Catholics had so long waited.

The fame of Sir Richard Bourke had preceded him to the colony. He was a gallant soldier, experienced in many wars, and well acquainted with the needs of peoples and countries foreign to England. His experience and broad-mindedness would naturally lead him to contemplate a system involving some amount of self-government for the colonists, rather than to be content with the strict enforcing of laws made by men completely ignorant of the people for whom they legislated. Much was expected of him by the Catholics of the colony, and they were not disappointed. His first actions initiated the removal of religious disabilities.

The difficulties that faced him were many. Catholic financial claims alone, owing to the ten years' refusal of just assistance, amounted to a considerable sum of money. The work that had been done on the St. Mary's property was valued by a competent architect of the time at £5,900, and £3,000 out of this sum, it was claimed, was still due from the Government. Father Therry, too, was still in the position forced on him by Governor Darling, clamouring for Government recognition and for reinstatement as official chaplain.

Bourke's policy from the first proved that he took a sympathetic interest in Catholic claims. Accordingly on 30 March, 1832, a public meeting was held in Sydney to further Catholic interests. Roger Therry, in a speech advocating the presentation of a memorial,[1] gave an account of the state of

[1] Kenny, p. 57.

the Church at that time. He acknowledged the recent grant of £500 to St. Mary's, and urged the Government not to stop at this sum, which was entirely inadequate for the completion of the church. Education, also, was denied to Catholics. They comprised one-third of the population of the colony; yet they were excluded from the school for teaching trades at Carter's Barracks, from the School of Industry, and from the Orphan School, nor was there any endowment for the education of youth. (A recent resolution of the Legislative Council, however, had recommended such a provision.) In the ship in which he came to Australia, said Therry, there were two hundred prisoners, of whom a hundred and seventy were Catholics; and the same proportion was being kept up in each ship sent from Ireland. These men were sent out to be reformed; yet on their arrival all but twenty or thirty were assigned as servants to employers in Sydney, Bathurst or Maitland, where during the whole term of their imprisonment they never saw a priest, not even at death. The necessity for extra chaplains was therefore indisputable.

With regard to Father Therry, his namesake went on, he had been for twelve years chaplain in the colony, and during that time no one was ever able to belittle his zeal or his character. The speaker knew that no act of the Government would be hailed by Catholics with more delight and gratitude than the reinstatement of this heroic priest in the position of which he had been so cruelly deprived.

The memorial—which was identical with that drawn up in 1830—was not presented until August 17, 1832. On the presenting deputation were Major Mitchell, Surveyor-General; J. H. Plunkett, Solicitor-General; Roger Therry; S. Moore, the senior magistrate of the colony; and Fathers McEncroe and Therry. The Governor gave them a sympathetic hearing. He quoted the letter[2] in which Lord Bathurst gave Governor Brisbane permission to complete the chapel, and stated that he had done all in his power to place the Catholic schools on a better footing; as for Father Therry's claim for

[2] Above, p. 105.

reinstatement, though he recognized its justice, to grant it was beyond his power—but he would lay the case before the Home Government. He did so. The effects were not immediate; but, when they did become apparent, they inaugurated a new era for the Church in Australia.

Meanwhile the movement in England to gain recognition for the Catholic Church in Australia was very active. Mr. Blount and other influential friends of Roger Therry were working incessantly. Even the Vicar Apostolic of London was awakening from his state of apparent want of interest in the claims of the colony. On September 24, 1832, Roger Therry enclosed to Joseph Hume (a leader of the radical party in the House of Commons, and an ardent supporter of Catholic emancipation) copies of the resolutions adopted at the meeting a few weeks previously, and solicited his interest in the cause. Wherever a likely sympathizer was to be found, he was made aware of the Catholic disabilities.[3] The first signs of the success of Mr. Blount's exertions are contained in a letter sent to him by Lord Stanley, dated February, 1834, which refers to happenings of an earlier date. "I have the pleasure," Lord Stanley wrote, "of enclosing to you a copy of the despatch from General Bourke, by which you will perceive that the object of your application has been anticipated to an extent which I trust will be satisfactory, and that provision has been made for the maintenance of four additional chaplains." (Under the terms of this provision Fathers McEncroe and Dowling had been sent out.) "I entirely concur with General Bourke in opinion that this addition is not more than is required by the necessity of the case, and, should the demand increase, I am satisfied the Legislative Council of New South Wales will be happy to make such further provision as may be in their power. Agreeing also with General Bourke in the extreme importance of the selection of the clergymen to be appointed I have already communicated on the subject with Dr. Bramston" (Vicar Apostolic of the London District) "and I hope that no long time will elapse

[3] *Reminiscences*, p. 148.

"THE CATHEDRAL CHURCH OF ST. MARY, SYDNEY, N.S.W."

(From a lithograph, published January, 1843, by J. S. Prout, in the Dixson Collection, Sydney)

To face p. 148

before the newly-appointed chaplains proceed to their destination."[4]

Father Dowling had already arrived in the colony. Almost a year later, on 17 August, 1832, the Rev. John McEncroe landed at Sydney, and with him came one who was to be an able and willing supporter of the work of Roger Therry—John Hubert Plunkett, Solicitor-General of the Colony. According to Cardinal Moran,[5] it was at the request of Mr. Plunkett that Father McEncroe received his appointment as Chaplain.

Father McEncroe was destined to become a leading figure in the Australian Church. For thirty-six years he laboured in its interests. From the first day of his arrival till Father Therry's death in 1864 he retained the friendship of the much harassed missionary; he understood the trials and peculiarities of his friend so well that, where Fathers Power and Dowling, and Dr. Ullathorne too, did not succeed in winning the affection of Father Therry, Father McEncroe did succeed by his sympathetic treatment.

Father McEncroe was born near Cashel in Ireland, in the year 1795. He was ordained priest in 1820, and for a short time held a professorship at the Diocesan Academy, Navan.[6] Whilst still very young he gave evidence of ability by publishing a new edition of Donlevy's Catechism in Irish and English. He then sought new fields of labour in the diocese of Charleston (U.S.A.), where he remained for seven years as Vicar-General to Bishop English. On his return to Ireland, broken in health by the work of the American mission, he was given an idea of the sad fate of convicts in New South Wales; while staying in Clonmel he saw a number of prisoners about to be transported, and straightway determined on his future work. It was to be of immense service to the church in the colony.

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[4] *Reminiscences*, p. 149.

[5] P. 131.

[6] Cardinal Moran, pp. 131 sqq.; *Benedictine Pioneers in Australia*, I. 161.

Father Therry's work was now considerably lessened. There were three missionaries at work in the colony, Father Dowling (at Newcastle for a time, and then at Windsor), and Fathers Therry and McEncroe working harmoniously and profitably at the Chapel-House in Sydney. Supporting them were Roger Therry and John Hubert Plunkett, two strong men ever ready to forward the claims of the church. The Governor himself was more than sympathetic, and his sympathy was actively and usefully expressed. One thing still was lacking—Father Therry's services had not the official sanction of the Government.

An account of the system of work adopted by the three priests at this time is given in a letter written by Father McEncroe on 2 November, 1832, to Dr. Murray, Archbishop of Dublin:—[7]

My dear and Reverend Lord,

. . . . I have been stationed here, the Rev. Mr. Dowling, who is in rather a bad state of health, having taken up his residence at Windsor, about forty miles up the country. I live with the Rev. Mr. Therry in the Chapel House; I hope he will soon get the usual salary, of which he was deprived by Governor Darling. . . . There are 16,000 or 18,000 Catholics in this Colony, not one half of whom hardly ever see a priest. The present Governor is friendly to us. £500, in addition to £300 have been voted for Catholic chaplains and schools for the next year. Five or six zealous priests are absolutely wanted here. I intend to memorial the Secretary for the Colonies on this and other matters connected with the Catholic affairs of New South Wales. I am sure that any well recommended priest, who would apply as I did, would meet encouragement. We want very much, five or six competent schoolmasters; each would get about £50 a year. I have the appointment. . . . .

The number of converts is considerable in the Colony, considering the little opportunity of instruction. There is a general dislike of the ministers of the Establishment, which is to cost the people £20,000 for the next year.

The Holy See should provide this place with a Bishop. It is the most neglected portion of the Catholic world. The

[7] *Benedictine Pioneers in Australia*, I., 222.

Vicar-Apostolic at the Mauritius can do but little for this place; by proper care it can become an interesting portion of the fold of Christ. The youth are docile and enterprising and tenacious of the faith of their unfortunate fathers. . . .

The sum of £1500 has been subscribed within the past month for the completion of our beautiful church, built chiefly through the exertions of the Rev. Mr. Therry. I have an arduous mission in Sydney with a Catholic population of 5000 souls and am called at an average of once or twice a week to attend sick calls at the distance of from 20 to 40 miles. . . .

The work of the mission was not suffering from lack of interest on the part of its chaplains. Father Therry's diary in these years shows the great distances accomplished in his missionary journeys.[8] Even as far as Moreton Bay he journeyed in quest of souls. This constant travelling, and the frequent calls of his poor people and convicts were a heavy tax upon his limited finances. The people were generous; but their subscriptions were soon absorbed in the funds for building churches and schools in the vast mission. The assistance given by Government was entirely inadequate and, in comparison with the large sums expended on the Anglican Church, simply ludicrous. The people, too, were not blind to this prodigal favouritism. Even the *Sydney Gazette*, usually unsympathetic with Catholics, voiced the public indignation.[9] A few statistics on this subject will be of interest.

In 1828 the population of the colony was 36,598, of whom 25,248 were Protestants of all denominations and 11,236 Catholics.[10] The Anglican Church enjoyed the services of 14 chaplains (besides the Archdeacon), who were provided with eight churches, six chapels, and a residence for each chaplain. The Catholics were allowed one official chaplain; after his death Government for a time paid no salary to a Catholic priest. In 1833 the Church of England received from Government a total sum of £19,071 5s. 8d.; the Church of Scotland, a com-

[8] See Appendix A, No. 24.

[9] Cf. its issue of May 9, 1831.

[10] Report of Commission on Colonial Revenue, 8 December, 1830.

paratively small body with an exceedingly active pastor, got £600; and the twelve thousand Catholics only £800. This unjust system might have continued without criticism under such Governors as Darling. But with the arrival of Bourke the times were changed. The people raised their protest against such a system, and its collapse was very close at hand.

Father Therry, in his dealings with Government, had not been sufficiently aware of the importance of thorough and systematic business methods; and Dr. Ullathorne severely condemns him for gross neglect in this matter, often, though not always, with sufficient cause. He certainly was too trustful of official promises. It must be taken into account, however, that Government securities and receipts were often unobtainable, and that much of his work was done against express official commands. The absence of Government recognition, however, had not caused much trouble in the past; but serious results were about to ensue.

In the first year of Father Therry's ministration in the colony, land had been set aside as a site for the Catholic Chapel. Under the direction of Surveyor Meehan, an area was measured off and taken possession of. But in all his transactions Father Therry was inclined to give Government favours a wider interpretation than the original order allowed. In these early times there were hundreds of acres of unreclaimed bush around St. Mary's; what could it matter if he took a little more than the original grant?

The encroachment was not noticed until Government had need of the adjoining allotment. Then it was found that a fence had been erected by Father Therry on ground claimed as Government property. He was asked to remove the fence, or to substantiate his right to the land by production of the deeds. His reply was addressed on 28 December, 1832, to Governor Bourke's secretary:—

In this document, His Excellency has the kindness to avow that he is not disposed to urge the rights of the Crown against

THE VERY REVEREND ARCHDEACON McENCROE

To face p. 152

any equitable claim supported by reasonable proofs of its fairness, but complains that I have not produced any documentary evidence in support of my claim. This avowal of His Excellency is an honourable and just one, but His Excellency cannot, with reason, attach blame to me for not producing documents which I entrusted to Government, and which were afterwards either mislaid or destroyed, as many others are proved to have been in one of the Government offices. When my right to the land in question was first disputed under the Government of Sir Thomas Brisbane, K.C.B., I submitted those documents to His Excellency through Mr. Stirling, brother of the present Governor of the Swan River Colony. Sir Thomas sent them to the then Attorney-General, Saxe Bannister, Esq., whose opinion, as he himself told me, being favourable to my claim on said land, His Excellency the Governor left me in undisturbed and undisputed possession of it. But the documents, though I was most anxious to regain possession of them, have not since been returned, and I have reason to believe that they were intentionally destroyed. His Excellency General Darling some years after attempted to take forcible possession of it by cutting off the house that I had some years before built on it, by a fence; and the person, who was employed in its erection, declared to me in confidence that he was instructed to knock down the first man who should attempt to interrupt him; but that instruction I feel convinced did not emanate from General Darling. Against this attempt I protested, and the fencing for some cause or another was almost immediately after discontinued. A copy of this protest I beg leave to inclose, and as it is the only one in my possession, I trust it will be returned.

The following correspondence traces the difficulty from the first complaint. In 1828 Father Therry had protested against what he regarded as a Government intrusion. Following its usual procedure, Government sent its reply to the recognized chaplain, Father Power:—

Colonial Secretary's Office,
Sydney, 12th June, 1828.

No. 28/3.

Reverend Sir,

The Reverend J. J. Therry having complained that part of the ground attached to the Catholic Chapel &c. has been cut off by the fence erected by the Civil Engineer, I am

directed to inform you that the Surveyor-General has been instructed to cause the ground to be remeasured and report the result.

I have etc.,
ALEX. McLEAY.

The Revd. D. Power.

No. 28/321.

Colonial Secretary's Office.
12th June, 1828.

SIR,

The Revd. J. J. Therry having complained that part of the ground attached to the Catholic Chapel &c., at Sydney has been cut off by the fence erected by the Civil Engineer, I am directed by His Excellency the Governor to desire that you will cause the ground in question to be accurately remeasured and report the result.

I have, &c.,
ALEXR. McLEAY.

The Surveyor General.

The Surveyor's report was accordingly submitted:—

Surveyor General's Office,

No. 190. June 21st, 1828.

SIR,

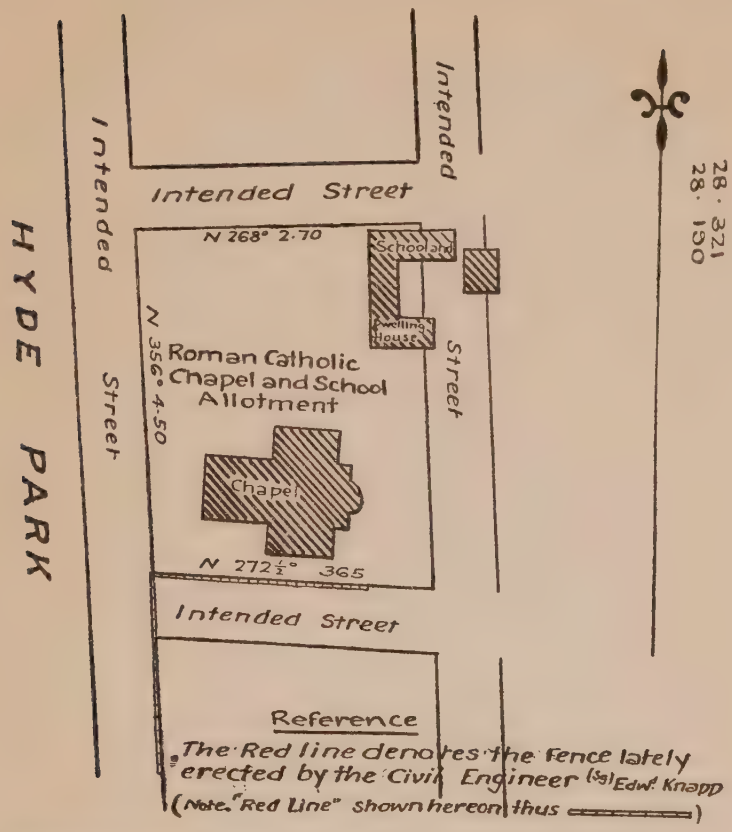
In compliance with the directions contained in your letter, the ground attached to the Catholic Chapel has been remeasured, and the result is that the fence in question is precisely on the boundary of the allotment, as defined and laid down on the map, the first time it was measured.

I have annexed a plan of the ground, and adjoining allotments as first laid out, from which it will appear that one building, used as a workshop for the men erecting the Chapel, is on a contiguous allotment, and another building (I believe the School and Chaplain's residence) projects into and beyond an intended street.

I have &c.,
WILLIAM CORDEAUX.
(In the absence of the Surveyor-General)

The Honorable A. McLeay.

On 15 July, 1828, the Colonial Secretary transmitted to Father Power this report, as well as the notification of an



PLAN ANNEXED TO CORDEAUX'S LETTER

arrangement which Father Therry had proposed to the Government:—[11]

Mr. Therry has also submitted to the Governor a proposal that, if His Excellency will grant to the Catholics of Sydney "the piece of ground bounded by the old garden wall on the south, by the wall of Woolloomooloo on the east, by the wall of the extern demesne on the north, and by the old race

[11] Cardinal Moran (*History*, p. 92), gives a letter of Father Therry's embodying somewhat similar proposals in 1822.

grounds or Hyde Park on the west, reserving a right of a road for Government on every side," he (Mr. Therry) will relinquish every right, title and claim, which he has to, or on the Catholic Chapel and Chapel-House, in favor of the Right Reverend Doctor Slater, the Reverend Philip Conolly and yourself.

With reference to these several communications, I am directed to inform you that it is not possible to comply with the proposal contained in the latter, and to add that the part of the Chapel House which Mr. Therry appears very improperly to have erected on ground not belonging to the Establishment must be removed, as the Lane will be required by the Government, and cannot be given up.

You will be pleased, therefore, to consider this letter as a regular notice, and warning to that effect.

I have &c.,

Alex. McLeay.

Father Power lost no time in assuring the Government that he would take no objection to what they did; he added the consoling news that Father Therry had assumed powers which he did not possess, and that a sure retribution would follow:—

Sir,

In reply to your last communication which I had the honor to receive, all the information which I could procure relating to the subject therein contained, viz.:—The Catholic Chapel ground at Sydney, from the Revd. Mr. Therry is—that an area of 400 square feet (*sic*) had been conceded for the said establishment.

Altho' this statement does not appear to accord with the scale on the map, yet I have been informed by several who had been present at the ceremony of laying the foundation stone, that the said square of 400 feet, equal to that designated for the intended gaol, was universally understood to be the extent of the grant. And as to Rev. Mr. Therry's proposals respecting an alienation which was intimated in your letter, he has no authority whatever so to do. It is church property, and according to Canon Law, any person monopolising such as his private property incurs the censure of Major excommunication. For his turbulent opposition against church and state, he shall have very soon to account before an ecclesiastical tribunal.

Father Power judged the matter severely. Father Therry was the chaplain placed by the Bishop over the colony. He had every right to suggest an arrangement which he might consider suitable, but confirmation from his superiors would have been necessary prior to any definite movement for alienation. It is possible that Father Therry possessed such liberal powers from his Bishop. He was wrong, however, to regard the land as if it were his personal property; the land should have been conveyed to Trustees in the first instance. (This same neglect to observe the strict regulations laid down by Canon Law regarding church property led him into greater and more lasting difficulties in Tasmania.) He refused to give away any of that which he regarded as church property. He began to look for precedents in such a course of action, and accordingly assured the Governor that there was no possibility of his relenting. "I can truly state" he writes, "with the great St. Ambrose, the holy Bishop of Milan, when refusing the use of a certain church to the Empress, that if His Excellency should require my personal estate, I would cheerfully surrender it, but should he require me to give up property consecrated to a sacred purpose, and of which I am only a trustee or guardian, it would be my imperative duty to refuse without hesitation to comply with such a requisition, though that refusal might deprive me for ever of His Excellency's favor."

This obstinate refusal to obey Government orders brought about a very painful situation, which was relieved only by the timely arrival of Dr. Ullathorne.

Government had tired of waiting. Father Therry would not accept the suggestion of appointing Trustees, to whom the church land might be conveyed, until the ownership of the strip of land in dispute was finally decided. The position became even more unpleasant when Mr. Plunkett, in his capacity of Solicitor-General, was instructed by Government to institute proceedings against the recalcitrant priest.

At this critical period, when Father Therry would certainly have lost his case in law, and incidentally have compromised Catholics in high positions, and Catholic interests in general, Dr. Ullathorne arrived in Sydney.

CHAPTER XI.

Two stars keep not their motion in one sphere.
—SHAKESPEARE.

THE movement in England in favour of applying to Australia the full benefits of Catholic Emancipation was gaining widespread sympathy and the interest of the English Government. Lord Stanley and Bishop Bramston were in frequent communication on the advisability of sending additional chaplains to Australia, and even at this date had contemplated suggesting that the colony should be placed under independent ecclesiastical jurisdiction. The need for a recognized superior on the mission was suddenly emphasized by a despatch from Sir Richard Bourke, explaining the dissentions concerning St. Mary's Chapel land—in connection with which the local Government did not recognize the right of Father Therry to speak authoritatively for Catholic claims, while the Church, with the approval of the Bishop of Mauritius, recognized no one else.

Father Ullathorne, an English Benedictine, had volunteered for the Australian Mission, and was preparing to leave England—expecting little help from the colonial Government—when the despatch of Governor Bourke arrived. "Meanwhile," he writes,[1] "there came a despatch from the Governor of New South Wales to the Secretary for the Colonies, which changed my position in the colonies. His Excellency represented to the Secretary of State that there was no authorized head of the Catholic clergy in that colony, that difficulties had consequently arisen between the Government and the senior priest respecting grants of land, and that it was desirable to obtain the appointment of a Catholic dignitary invested with due authority. Bishop Morris[2] was in consequence invited to an interview at the Colonial Office, and

[1] *Autobiography*, p. 55.

[2] Bishop Slater was dead. Dr. Morris was his successor in the See of Mauritius.

informed the Secretary of State that he had an ecclesiastic in view as Vicar-General for Australia, with residence in Sydney, who would have all the authority required. This was agreed to, and a stipend was assigned by the Government of £200 a year, an allowance of £1 a day when travelling on duty, and for voyage and outfit £150. The title assigned to me by Government in documents, beyond that of Vicar-General, was that of His Majesty's Catholic Chaplain, recommending me to the Governor of the Australian Colonies."

Father Therry had been the proper man to lay the foundations of the Catholic Church in Australia. His energy, and even his holy obstinacy, fitted him for such a task. The crisis of 1829 needed another leader, and found one in Roger Therry. A new crisis, though delayed in some measure by Father McEncroe's level-headed policy, had now arisen, and demanded a man of keen insight, able to deal diplomatically with the secular authorities both at home and abroad. All these qualifications were evident in Father Ullathorne. His career in Australia was confined to a few years, but they were of incalculable value.

The arrival of Father Ullathorne at Sydney can best be described from his own letters and writings. In his *Autobiography* he writes:—[3]

I made it a point of policy not to send any previous notice of my coming to Sydney, where I arrived in the month of February,[4] 1833. I walked up straight to the priests' residence, and there I found a grave and experienced priest in Father McEncroe . . . . From him I learnt a good deal of how things stood. Father Therry had gone to Parramatta, but quickly hearing of the arrival of another priest, returned that evening. . . . . I looked so youthful that the first language of Father Therry, and even of his housekeeper, was naturally patronising.

It must be remembered that Father Ullathorne had first landed at Hobart, and had heard from Father Conolly a none too flattering description of his former colleague. He there-

[3] pp. 65 sqq.
[4] On the 18th. Dean Kenny wrongly gives the year as 1832.

fore met the Father Therry whom he had been led to expect —ready to show signs of friendship if the new arrival should admit his subordinacy, and of opposition if an independent spirit manifested itself. He was not prepared for the real Father Therry, as his narrative shows:—

> After dinner I produced the document appointing me Vicar-General, with jurisdiction over the whole of New South Wales, as well as the rest of New Holland, after reading which Father Therry immediately went on his knees. This act of obedience and submission gave me great relief. I felt that he was a truly religious man, and that half the difficulty was over.

In such wise did he make the acquaintance of the real man; but he never made him a friend.

There is in all Father Ullathorne's descriptions of his first years in Australia too much insistence on his youthful appearance, his extraordinary powers, and his pleasure in displaying them. This was a product of his temperament, and helps us to understand why in later years he was known among his fellows in England as "Monsignor *Ego Solus*."[5] The situation that confronted him in Australia, however, was one in which such a temperament was particularly valuable. "The next morning," continues the *Autobiography*, "as I came from Mass in the little chapel, Father Therry met me and said: 'Sir, there are two parties among us, and I wish to put you in possession of my ideas on the subject.' I replied: 'No, Father Therry, if you will pardon me, there are not two parties.' He warmed up, as his quick sensitive nature prompted, and replied, with his face in a glow: 'What can you know about it? You have only just arrived, and have had no experience.' 'Father Therry,' I replied, with gravity, 'listen to me. There were two parties yesterday; there are none to-day. They arose from the unfortunate want of some person endowed with ecclesiastical authority, which is now at an end. For the present, in New South Wales, I represent the Church, and

[5] Shane Leslie's *Henry Edward Manning*, p. 491. In 1887 Archbishop Ullathorne claimed that as "a mere youth" he had "to lay the foundation" of the Church in Australia (*loc. cit.*, p. 492).

THE REVEREND FATHER ULLATHORNE, O.S.B.
(About the time of his arrival in Sydney)

To face p. 160

those who gather not with me scatter. So now there is an end of parties.' "[6]

Father Ullathorne has left many sketches of the character of Father Therry—as he conceived it. The *Autobiography*, and his letters published in Dom Birt's two volumes, give a picture of the pioneer priest of Australia which we cannot accept. To Dr. Morris he wrote:—[7]

. . . . . The Rev. J. J. Therry required some management at first; my ideas and plans were "absurd," or "folly," or I "had joined the party opposed to him." These expressions were very speedily dropped. He next tried insinuation. Thank God who enabled me to see through it. He had assumed an appearance and expression of cordiality from the commencement. I am convinced he is now sincerely with me as the other two clergymen have been from the first . . . . The Rev. Mr. Therry is after all a very meritorious clergyman. He is indefatigable and rests neither day or night. I am convinced he has always been disposed to submit to ecclesiastical authority . . . . . He possesses no great learning or eloquence, but has experience, good sense, and is much attached to pious observances. I do not wonder at his popularity among the poor Irish; he has done much for them, and is the arbitrator of their differences and their constant friend and adviser in difficulties.

In his *Autobiography*[8] he writes:—

Father Therry was quite an exceptional character. He was truly religious, never omitting to say Mass daily even in difficult circumstances; and up the country, when he could find no appropriate roof for the purpose, he would have a tent erected in some field or on some mountain side. He also said the Rosary in public every evening, gathering as many people as he could. He was of a highly sensitive temperament and readily took offence, but was always ready to make reparation. . . . . Having passed from trade to his studies he had sufficient knowledge of his duties, but was too actively employed to be a reader. Having been the sole priest in the colony for some eleven years, he was very popular, not only with the poor

[6] *Autobiography*, p. 66. For Father Therry's side, see Appendix A, No. 23.
[7] Dated 17 April, 1833. *Benedictine Pioneers in Australia*, I, 161.
[8] P. 67.

Catholics but with all classes of the population. Being the one representative of the Church in those times, landed property was bequeathed to him in several places by Catholics who had no relatives in the colony. This he always treated as his private property, though he never took much trouble about it. But in his will he bequeathed it all to religious purposes.

In another letter[9] to Bishop Morris, Father Ullathorne sketches his colleague again:—

Mr. Therry, after having so long had full sway, evidently feels it irksome a little, to have to account to another person; at the same time, with the exception of one instance, he has not shown it. On the contrary, he studies to show me every attention outwardly. From the other two gentlemen I enjoy the most candid and cordial co-operation. Mr. Therry is thinking a good deal of paying a visit to England and Ireland; whether he has any other design than that of visiting his friends and clearing up his conduct I do not know. He is clever at a scheme, yet I have no right or cause to suspect him. It is perhaps my duty to weigh possibilities as well as probabilities. He says he will be guided by my advice whether he shall go or not. After all his long service, I could not refuse him my consent. Perhaps too, his absence for a time would enable us to put things better into permanent order.

The chapel administration is also criticised—but, with some justice:—

With respect to our church in Sydney, I am in some difculty. . . . . My principal difficulty after all is, that I can procure no regular accounts of the monies received from the people and expended, with the *how expended*, on the building.[10] If I could do this I might at once assert a clear claim grounded on the promises of former Governors. The general opinion is that at least £6000 has been collected for this building. Mr. Therry's general estimate of expenditure is that £5000 has been spent on the Church, and £1100 on the Presbytery and a small chapel annexed, dedicated to St. Joseph. . . . . It is my decided opinion, confirmed by the common opinion, that there has been a great deal of mismanagement,

[9] Dated 10 July, 1833. *Benedictine Pioneers in Australia*, I., 208.
[10] A score of ledgers among the Therry Papers at Loyola, showing what appear very full accounts of receipts and disbursements, give us some reason to think this statement exaggerated.

somewhere, of the money collected for the Sydney Church. Mr. Therry says he is £600 amerced in debt on the account of this building; and yet till Government last year gave £500 for roofing and flooring the building, nothing was done but the mere walls.

Father Ullathorne, it is clear, did not fully realize the difficulties of preceding years. He had been welcomed on arrival by a Governor who had stated his policy in these words: "I have set my heart on laying a good foundation whilst I am in office. I dread much, even in this reforming age, the blighting influence of religious intolerance."[11] What a contrast to the formidable document presented by Governor Macquarie to Father Therry on his arrival, in which were notified the severe penalties attached to non-recognition of the Governor as Pontiff of the Colonial Catholic Church! Father Ullathorne had no cause to reply that he had no intention of obeying Government regulations in spiritual matters. He came at a time when the battles of thirteen years had extorted from Government almost a just recognition of Catholic claims. Catholic Emancipation had been passed. Even the Home Government was displaying a lively interest in the claims of the Colonial Catholics. He was not alone in the vast colony. He was Vicar-General, assisted by three energetic priests. Taking all this into account, his criticisms concerning the work of Father Therry in New South Wales are, on the most charitable estimate, unsympathetic and unappreciative of the great work begun and built up by the priest whom he superseded.

This want of confidence between the two priests was not unknown to the people. They appreciated the tact and ability of the new arrival; they enjoyed the fruits of his successes with Government. But the priest who had borne the heat and burden of the long days of persecution, whose missionary labours were likened to those of St. Paul on account of the extent of his journeys and undertakings—he still remained the idol of the people's affections. Father Ullathorne eventually realized

[11] Therry, *Reminiscences*, p. 157.

what this deprivation of sympathy meant to the suffering priest, and wrote to him on 4 October, 1833:—[12]

Revd. Sir and My dear Friend,

I duly appreciate your answer to my letter. The writing of it must have been as painful to you, as, I beg leave to assure you, mine was to me. There may have been parts of my conduct which may have seemed to you as if directed personally against you, from the manner in which, perhaps, they may have been represented to you, but God, who sees my heart and searches my intentions, forbid they should be so in reality. I have never listened to vague representations against you; I have always checked any inclination to prejudice me against you, and taken up your defence against such tattlers. I always confided in you, respected you, and praised your good qualities; and thank God, I do still, and you have just added another reason why I should. Complaint and remonstrance I shall always listen to, both as a right in you and a duty in me.

I believe there are some circumstances which are not yet sufficiently explained, and these it will give me great satisfaction so to do, that there may not be a prejudice left, but every one be put to death by a simple statement of their reality.

I remain, my dear Sir,
Your very humble obedient servant,
Wm. Ullathorne.

The measures adopted by the Vicar-General at this critical period make him a great figure in Australian History. Precision was his characteristic. His keen intellect, summing up the difficulties between Church and State, saw at once their full extent, and devised at the same time means for a satisfactory conclusion. He was confronted at the beginning of his rule by the controversy over the ownership of St. Mary's land; and, as was his custom, he acted immediately. He afterwards wrote to Bishop Morris:—[13]

The Government was equally relieved by my arrival, they being on the point of proceeding to law with Mr. Therry for his encroachments on Crown property. . . . . The Governor received me with great kindness, and although very unwell at the time, gave me an audience in his bedroom. On the Sunday

[12] From the Manly Archives.
[13] *Benedictine Pioneers in Australia*, I., 159 sqq.

after my arrival, I announced my powers from the Altar, took the whole of affairs into my own hands, and promised as soon as I should have had time thoroughly to sift matters to bring them to an arrangement. On the third Sunday after my arrival, having satisfied myself on the real state of things and ascertained the sentiments and feelings of all parties concerned; after offering the Holy Sacrifice, and giving a strong and somewhat vehement exhortation to unity and submission to authority, I held the meeting in the chapel, took the chair, with Mr. Commissioner Therry as Secretary, and proposed my arrangement. I had two dangers to guard against: Cabal and intrigue in the election of trustees; and the ripping up old feuds and stories, which I was anxious should not be brought publicly before my notice, as the best means of their being buried for ever. I therefore impressed upon them that they were not met to discuss, but to elect, and proposed that there should be appointed six trustees—three clerical and three laymen. The clergymen to be appointed by myself, the laymen to be freely elected from the congregation by themselves. That to prevent dissension and angry feeling they should not be nominated or proposed, but be chosen, at once, by ballot. I had now gained my point, they forgot their prepared speeches and long stories, and proceeded in silence and order to write the names of the individuals they would vote for on slips of paper, consigned them to the box, and the three most respectable and intelligent men of the congregation were thus elected: viz.—Mr. Therry, Commissioner for Court of Requests, Mr. Solicitor-General Plunkett and Mr. Murphy. The announcement spread universal satisfaction. Being now assured that no intrigue had been employed, I nominated, with myself, the Rev. J. J. Therry and the Rev. J. McEncroe as the clerical trustees. I now opened their mouths and we had a display of the warmest cordiality and unanimity.

We, the trustees, are now in treaty with Government for the extent of land to be granted us. I send your Lordship a copy of the memorial which I drew up for the Governor on the subject, to which nothing definite has, as yet, been answered. I think we shall probably obtain about four acres attached to the church,[14] and a further grant somewhere near the town for a seminary. The laws here will not allow of burial near the church, we have a burial ground of about four acres a mile from Sydney.

[14] By the courtesy of the Under-Secretary for Lands and of Mr. H. Selkirk, the Crown Grants made to St. Mary's are given in Appendix C.

Since the affair of appointing trustees, it gives me great happiness to inform your Lordship that all party and division has ceased in the Church. Clergymen and laymen, we are all cordially united. Nor do I again fear division. The people are tired of it, they have in general been reluctant spectators of the scandals it has caused. And, the authority I hold from your Lordship, the attention I receive from Government and from all persons, and the popularity which my efforts have procured me for the good of religion, were anyone so disposed, would make any attempt at division abortive.

The most gratifying example of the tolerant spirit now growing in the colony was the movement for revoking the Charter of the Trustees of the Clergy and Schools Lands, by which the Anglican Church had been made prosperous while every other form of worship remained impoverished. To one who had lived and suffered under Darling, and who remembered the days of Archdeacon Hobbes Scott and his orphan schools, the change would seem incredible. Catholics had only to ask; for, if Governor Bourke saw the justice of the request, and had the power and the means to grant it, he would not hesitate in helping any religion. Father Ullathorne's Report of 1837 to Propaganda gives a gratifying picture of these humane measures:—[15]

Besides the schools established at Sydney, Parramatta and Campbell Town, I found means to build two others in Sydney, each having separate divisions for boys and girls, another at Windsor, one at Liverpool, one at Appin, and one at Maitland. . . . It was agreed that four acres of land should be given us in each town for a site for chapel, school and presbytery; and that the funds collected by us should be doubled by the Government. Soon after my letter to the Vicar Apostolic in the Mauritius, I presented a petition to the Government for an increase of clergy and we were granted salaries for four more priests. I wrote at once to England urging strongly for the appointment of a Vicar Apostolic. . . . The Governor, Sir Richard Bourke strongly urged the home Government to maintain religion in the Colonies; but successive changes of Government in England prevented an answer for three years; this document suggested entire equality amongst religions; no

[15] *Benedictine Pioneers in Australia*, I., 212.

predominance for Protestantism; to give salaries according to the number of parishioners; to grant money for church building equal to what was collected in donations, to maintain existing schools, and to make education free. My increase of salary was a spontaneous act on the part of the Governor. The Government showed no desire to interfere with our discipline or practices, and we, on our side, kept aloof from politics. The sole attempt made against ecclesiastical liberty was that of the Protestant Archdeacon (Dr. Broughton) who wanted to have charge of our baptismal and marriage registers; but this endeavour was quickly defeated.

This change in public opinion was the successful climax to all Father Therry's efforts during the thirteen years of his stay in Australia. He had prepared the way. He had formed the Catholic community into what it was—a strongly united, uncompromising body of men and women, full of the faith of their fathers. By the example of their first pastor they had learned to fight for their rights. Had he yielded meekly to official aggression, then, as Governor Brisbane testified, "the Catholic religion would have long ago vanished from these shores." Others, more capable than he, were now pushing Catholic claims towards the summit of that success at which he had aimed, and which he narrowly missed attaining.

By an Order in Council, gazetted on 28 August, 1833, the Church and School Corporation was dissolved as from 4 February, 1833. The almost unlimited power which had been granted to the Corporation became eventually the reason for its collapse. Sir Richard Bourke, realizing the temper of the Home Authorities, lost no time in proposing to them a scheme for more considerate treatment of all religious organizations.[16] In Father Ullathorne's report to Propaganda, already quoted, a summary of his suggestions has been given. His Excellency dealt with all phases of religious belief and methods of instruction. In the colony, he wrote, members of the Church of England were the most numerous; there were also large bodies of Catholics, Presbyterians and Protestant dissenters. The charge on the Treasury for the next year would be £11,542

[16] Letter to Lord Stanley, 30 September, 1833.

for Anglicans and £1,500 for Catholics. The chaplains of the Church of England were provided with glebes of forty acres each, or with a money allowance in lieu, and with houses or lodging money. Catholics and Presbyterians were not so favoured. There had been general complaints of such an irregular distribution; "and a petition to the Governor and Legislative Council has been lately prepared at a public meeting, and very numerously signed, praying for a reduction of the expenditure." He suggested a method of equal assistance that would be just to all. "If support were given as required, to every one of the three great divisions of Christians indifferently, and the management of the temporalities left to themselves, I conceive that the Public Treasury might in time be relieved of a considerable charge; and, what is of much greater importance, the people would become more attached to their respective churches, and be more willing to listen to, and obey, the voice of their respective pastors."[17] The Governor went on to call attention to the great disproportion noticeable in the education estimates, on which in 1834 £8000 was provided for Church of England schools and £800 for those belonging to the Catholics.

During all these successful movements the case of Father Therry was not forgotten by the people. He was urged to petition the Governor for reinstatement as Government Chaplain. In June, 1833, he put forward his claim.

To His Excellency Major-General Bourke, Governor and Commander-in-Chief of His Majesty's Territory of New South Wales and its Dependencies, &c., &c., &c., and to the Honourable the Legislative Council.

The Petition of the Reverend John Joseph Therry, Missionary Apostolic,

Respectfully Sheweth,

That your Petitioner arrived in this Colony upwards of thirteen years since, with full Pastoral jurisdiction over the Catholic population of New South Wales, and under the sanction of the then Colonial Secretary, the Right Honorable Earl Bathurst.

[17] Kenny, p. 63.

That this spiritual jurisdiction he continues to possess, notwithstanding the recent arrival of a gentleman, invested as Vicar General, with still superior Ecclesiastical authority.

That for having in June 1825, published an article (a correct copy of which accompanies this), in the *Sydney Gazette,* (which article commences with the words "The Roman Catholic Chaplain," and terminates with the word "respect"), Petitioner was removed from his Official situation as Government Chaplain, and his salary withdrawn, by order of Earl Bathurst, who, at the same time, ordered that three hundred pounds sterling should be given to Petitioner to provide a passage to England, should he wish to return thereto.

That Petitioner could not for any temporal consideration whatever, without compromising an imperative and most sacred duty, consent, at that time to leave the Colony, circumstanced as the flock committed to his pastoral care then were.

That through the negligence of the compositor of the *Gazette,* or the malice of some person or persons having influence over him, a fatal typical error appeared in the word immediately preceding the last one of that article, by which an expression of respect was converted into one of absolute contempt for the Protestant Chaplains of the Colony.

That the Editor of that paper declined to republish the article in an amended form, in accordance with the manuscript in his possession, but he briefly apologised for the mistake of his compositor in rather an obscure part of a subsequent number.

That the article thus incorrectly published, was transmitted to the Noble Secretary of State, who it is probable has never since seen or heard of the Editor's apology or explanation.

That as Petitioner was in consequence represented to his Lordship to have published, in the only official public paper in the Colony, that he entertained only a *qualified* respect for the Government Chaplains, a sort of respect which of course is due even to the most degraded portion of our aborigines; that nobleman is not to be blamed for having removed from his Official situation, a person who, he believed had offered so unwarrantable and unmerited an insult to a highly respectable body of Government Officers.

That Petitioner has from the time of his removal from the office of Chaplain to the present, continued uninterruptedly to perform gratuitously the various duties of it, and it is

generally known that the performance of these duties is often attended with considerable expense, and almost always with great mental or corporal labour.

That having, as in duty bound to do, placed firm confidence in an Official promise made to him by the local Government (which was published in the *Sydney Gazette, December, 1822*), to pay a moiety of whatever expenses should have been incurred after its date, in proceeding with and completing the Catholic Chapel, Hyde Park, he was encouraged to collect and apply to that purpose upwards of five thousand pounds sterling, and to incur debts on its account, amounting to about six hundred pounds more.

That of the latter sum he has paid *in cash* within the last eighteen months from his personal resources, two hundred and fifty pounds, and by his *personal Bills* within the same period, one hundred and fifty pounds sterling. That on the recommendation of His Excellency, GENERAL BOURKE, five Gentlemen have been appointed to act with Petitioner as Trustees for that building, &c., but these Gentlemen have not consented to take upon themselves either individually or collectively, any responsibility for its debts (a responsibility that should be inseperable (*sic*) from that Trusteeship), or to compensate or indemnify the Petitioner in any way for the labour, solicitude, and expense which he has, for more than ten years, devoted to that and the other ecclesiastical buildings.

That as these Trustees have been appointed by desire of the local Government, and have not funds available for that purpose, the same Government should contribute in some way to enable them to pay the debts attached to their Office.

That as the whole, or at least the principal part of the duties of the Chaplaincy are comprised in those which he has continued to perform for the last seven years, Petitioner solicits that the salary annexed to the Chaplaincy may now be given to him for the whole of that time, and that two hundred pounds per annum may in future be allowed him as the Senior Catholic Clergyman of the Colony: and that in the event of His Excellency the GOVERNOR and the Honourable the Legislative Council not deeming it expedient to grant the compensation which he here solicits, and which, as a deeply and unmeritedly injured man, he conceives he is authorised to expect from the hands of so liberal and benevolent a Government as the present one, is universally ac-

knowledged to be, the Petitioner trusts that there may be no difficulty on the part of Government to prevent his receiving at present the sum of three hundred pounds sterling, ordered him by the Right Honourable Secretary of State for the Colonies, at the time of Petitioner's removal from office, as this sum would serve, and is required, to diminish his pecuniary responsibilities, and to assist to enable him to proceed to England by an early opportunity.

And your Petitioner will ever pray, &c.,

JOHN JOSEPH THERRY, Missionary Apostolic.

Chapel House, Hyde Park,
Sydney, June, 1833.

To the petition was appended a testimony from the Vicar-General:—

Believing the statement of the case of the Rev. John Joseph Therry, as given above, to be correct;—convinced that that Rev. Gentleman has been much misapprehended, having been myself much more than satisfied with the Rev. Gentlemen's conduct since my arrival in the Colony, from a sense both of duty and of justice, I beg leave most earnestly to recommend the application of the Rev. John Joseph Therry to the favourable consideration of His Excellency Major-General BOURKE and the Honourable the Legislative Council.

WILLIAM ULLATHORNE, Vicar General.

The Governor could only regret that, as Father Therry had been suspended by the Home Government, reinstatement was not in his power. The petition was sent to England, and nothing further came of it.

Father Therry continued to make St. Mary's his Sydney headquarters. Father Ullathorne and Father McEncroe were busy with attention to sick-calls, hospital, convicts and the usual church functions in Sydney and its neighbourhood. Father Dowling was at Windsor. Father Therry was therefore able to go further and more frequently into the country districts—Parramatta, Goulburn, Bathurst, the Hunter River—and especially Campbelltown; most of his baptismal entries for this year concern people in that district. At this time he was once more involved in land difficulties. At Parramatta a man named Neilan had laid claim to a portion of the Church

land, which he said had been granted him by Father Power. Father Therry contended that Father Power had no right to alienate Church land; but the claim in any case failed, because John Oxley (the surveyor) had not procured a regular description of the original grant on the Chart. As for his other activities, a letter from his Bathurst representative, sent there to collect funds for St. Mary's, informs us that "the people are responding well, but they will refuse to give any more to a Sydney Church, until Father Therry builds them a Church at Bathurst."

The new experience of companionship with willing helpers revived in Father Therry a desire of long standing, hitherto made impossible by the stress of more important work. Now he was free. There were three priests besides himself to do what he previously had done alone. Caught up in this desire, he addressed to G. K. Holden, Esq., a memorial on behalf of the neglected aborigines:—[18]

Sir,

At the commencement of General Darling's administration, I did myself the honor, to propose to His Excellency my willingness to take charge of fifty of the aboriginal youth, on condition, that the Government would supply them with provisions, clothing, and other necessaries, and at the same time to give satisfactory security, that I should not at any time thereafter require for my superintendence any salary, or advantage, whatever, directly or indirectly; and I had also the honor to receive His Excellency's official assurance, that as soon as the general circumstances of the Aborigines should be taken into consideration by the Government, my offer should then be considered; and as that time has long since arrived, and no communication on this subject been received by me I have reason to apprehend that both my offer and His Excellency's promise have been forgotten. Whilst I had reason to calculate with any degree of certainty on its fulfilment, I continued to administer the sacred rites of Baptism to the infants of this much degraded but most unjustly injured race, often at the request, but always with the consent, of their parents. Many of these children have attained the use of reason, and some nearly the age of maturity, and are still utterly desti-

[18] 20 July, 1834.

tute of means to obtain a knowledge of the rudiments of religion, and moral education. And therefore, am I induced again to submit, as I now do, my offer to the favourable consideration of our humane and excellent Governor, and to add in the event of that offer being accepted, I shall with great pleasure either give five acres of my land adjoining the Liverpool Road, should that situation be approved of, to any trustees that may be appointed by Government, as a place for their residence and education, or will provide for them *pro tempore* an asylum free of rent on the Chapel ground.

I have, &c.,
J. J. THERRY.

From his first years in the Colony Father Therry had won the esteem of the aboriginal people. Father Ullathorne wrote that "Father Therry was habitually kind to these poor creatures, who camped and held their dances and funerals in a valley by the sea shore, about half a mile below our residence. He often fed them when in want." Archbishop Polding, writing in 1840,[19] gives another testimony of their affection for Father Therry. "Nothing is more affecting than to hear the native tribes speak of their attachment to Father Therry, who during several years was alone occupied with their salvation; so that, if you wish to give them a favorable idea of the priests, you have only to represent them as brothers of Father Therry, and the Bishop as father of all."

On arrival Father Ullathorne had taken over the control of church affairs; but he seems to have hesitated for more than twelve months before assuming control of the chapel as well. He frequently complained that no records were available; in fact, the records of each year, although compiled in an unbusinesslike fashion, are still extant. Records dated considerably after the Vicar General's arrival show that Father Therry still continued to collect and pay money for work on St. Mary's. One such statement is to the effect that "sums recently paid to Father Therry for Chapel" amounted to £246, and that the total amount of money paid out by him for this purpose, from the commencement of 1832 till 7 June, 1834, was £774.

[19] Cardinal Moran, pp. 303 sqq.

Father Ullathorne realized the difficulties of such a position, and on January 8, 1834, wrote to Father Therry to bring the whole matter to a close:—

Revd. dear Sir,

You will much oblige me by furnishing me at your earliest convenience with all such accounts as you may be able to furnish me respecting St. Mary's Church and the Chapel House &c., viz.:—of all contributions received towards those buildings, and expenses incurred on their account. Also an account of the number and amount in value of the Promissory Notes signed on account of said buildings, amount of value received on account of those notes, and amount of expense incurred in collecting and value received.

I likewise think it my duty to intimate that no collections for ecclesiastical purposes should henceforth be originated or set on foot without my knowledge and consent.

Yours &c.,

Wm. Ullathorne, V.G.

Such accounts were not easy to render. Many of the gifts to St. Mary's had been made in kind; a dozen sheep, a cow, wheat or corn or flour, or bales of lucerne—all these, with promises of similar gifts to follow. Even the money gifts were hard to account for; they had often been expended on the day of receipt, to meet the urgent demands of carpenters or stonemasons, aggrieved by the long delay in making payments. Moreover, Father Therry had made himself personally responsible for some hundreds of pounds. A guarantee for repayment was necessary, and to secure this Father Therry drew up a set of conditions satisfactory to both parties:—

The promissory notes signed by the Revd. J. J. Therry amount to rather more than £1800, which notes were originally intended to be appropriated to the three following purposes, viz.:

One-third to defray the debts contracted by Mr. Therry on St. Mary's account. One-third towards completing that edifice. One-third towards repairing and completing the Chapel House.

The debts already liquidated and to be liquidated amount to about one-third of the value of the notes; and as the debts are most urgent, it is but just that the first sums collected be

applied to the liquidation of those debts. After the debts have been liquidated there will still remain about two-thirds of the original amount of the notes, which when collected will be appropriated by Mr. Therry for the other two objects specified, subject of course, to approbation.

The foregoing arrangements were submitted to Father Ullathorne, who endorsed the scheme in these words:—

This arrangement is, I conceive, the one originally intended by the Revd. J. J. Therry. It meets my approbation, and should obviate all difficulties respecting notes.

Wm. Ullathorne, V.G.
April 25th, 1834.

By this agreement a complete understanding on financial responsibilities was arrived at. But the chief cause for complaint was still unremedied. Father Therry was continuing his arduous labours throughout the whole colony. He recognized no parochial boundaries. He had been used to an undisputed right of entry into every district, and could not realize that the old order had changed—that in the new there were three other priests with equal rights. Nor did the people see any harm in his methods. If there was a baby to baptize, whether in Parramatta, Campbelltown, or Sydney, there was a belief, almost bordering on superstition, that the full efficacy of the sacrament depended on the ministrations of this priest in particular. It was the guarantee of good luck. The parties to a marriage required the services of the priest who had baptized or instructed them, or had given them their first Holy Communion. This popular canonization never waned. Twenty years later the most common form of reference as to character and worth was: "I was baptized by Father Therry." There still live a very few favoured people whose proudest boast is that they knew and were blessed by Father Therry. Father Ullathorne, too, uncomfortably aware of this widespread influence, tells us how he had taken steps to complete the church at Maitland, under the supervision of the Government Architect, but on his next visit found that Father Therry had been there before him, and had doubled the number of win-

dows. It was useless to attempt to confine the efforts of the priest to one particular locality; he could not have obeyed such restrictions. It was a wiser policy, even though inconvenient, to allow him to do as he wished, so long as he ministered only to the spiritual needs of the people, and left matters of finance in more capable hands.

This arrangement, awkward though it appear, was turned by the master mind of Father Ullathorne into the means of doing great service to the Church. In theory the plan adopted seemed impossible. In practice, the labours of the four priests extended so widely into the country districts, and so effectively into the town districts, that the need became pressing not only for more priests, but for a Bishop.